



# CITY OF NORMAN, OK BOARD OF ADJUSTMENT MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069  
Wednesday, September 25, 2024 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 August 28, 2024 Board of Adjustment meeting.

### ACTION ITEMS

2. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2425-04: BRANDON AND MEGAN SWART REQUEST A VARIANCE TO 36-514(c)(3) OF 9'9" TO THE 20' REAR YARD SETBACK FOR A SECOND STORY DECK FOR PROPERTY LOCATED AT 4100 NICOLE PLACE.
3. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2425-05: ELIZABETH GREENHAW REQUESTS A VARIANCE TO 36-514(c)(2)(b) OF 10' TO THE 20' SIDE YARD SETBACK REQUIRED FOR A CORNER LOT FOR PROPERTY LOCATED AT 1001 CLASSEN BOULEVARD.
4. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2425-06: BRITTANI BEAVER AND MICHAEL SERNA REQUEST A VARIANCE TO 36-514(c)(1)(a) OF 5' TO THE 25' FRONT YARD SETBACK FOR A NEW HOUSE IN THE CHAUTAUQUA HISTORIC DISTRICT FOR PROPERTY LOCATED AT 505 CHAUTAUQUA AVENUE.

### MISCELLANEOUS COMMENTS

### ADJOURNMENT



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 9/25/2024

**REQUESTER:**

**PRESENTER:** Roné Tromble, Admin. Tech. IV

**ITEM TITLE:** CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT of the Minutes of the August 28, 2024 Board of Adjustment meeting.

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**ACTION NEEDED:** Approve, reject, amend, or postpone the minutes of the August 28, 2024 Board of Adjustment meeting.



# CITY OF NORMAN, OK BOARD OF ADJUSTMENT MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069  
Wednesday, August 28, 2024 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, August 28, 2024. 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.

Chair Curtis McCarty called the meeting to order at 4:30 p.m.

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

### ROLL CALL

#### PRESENT

Brad Worster  
Micky Webb  
Curtis McCarty  
Ben Bigelow  
James Howard

A quorum was present.

#### STAFF PRESENT

Justin Fish, 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 MAY 22, 2024 BOARD OF ADJUSTMENT MEETING.

Motion made by Webb, seconded by Bigelow, to approve the minutes of the May 22, 2024 Board of Adjustment meeting as presented.

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

The motion to approve the May 22, 2024 Board of Adjustment minutes as presented passed by a vote of 5-0.

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## ACTION ITEMS

2. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2425-02: BOB AND ELLEN USRY REQUEST A VARIANCE TO 36-512(d)(3) OF 19' TO THE 50' REAR YARD SETBACK FOR THE ADDITION OF A BATHROOM FOR THE POOL PAVILION AND A VARIANCE OF 25'3" TO THE 50' REAR YARD SETBACK FOR A STORAGE SHED FOR PROPERTY LOCATED AT 2247 60TH AVENUE N.E.

### ITEMS SUBMITTED FOR THE RECORD:

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

**PRESENTATION BY STAFF:** Justin Fish reviewed the staff report, a copy of which is filed with the minutes.

### PRESENTATION BY THE APPLICANT:

Mark Krittenbrink, 428 W. Eufaula, representing the applicant, explained that there is a shed at the back of the property that is existing and serves as a well house which is 24'9" from the rear property line. The existing cabana is being converted to a one bedroom apartment for family, and they are adding a bathroom and closet to the east side; it is currently 38' from the property line and will be 31' with the addition. They are asking for 7' additional encroachment for the addition.

Mr. Webb asked what is behind the property. Mr. Krittenbrink responded it is pasture. The trees are on the fenceline.

Ellen Usry, 2247 60<sup>th</sup> Avenue NE, explained the history of the property, which is 3 acres. Behind the property is all pasture.

**AUDIENCE PARTICIPATION:** None

### DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Motion made by Bigelow, seconded by Webb, to approve the Variance of 25'3" to the required 50' rear yard setback for the existing shed, and the Variance of 19' to the required 50' rear yard setback for the bathroom/closet addition as requested in BOA-2425-02.

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

The motion to approve the two variances requested in BOA-2425-02 passed by a vote of 5-0.

Mr. McCarty noted the ten-day appeal period before the decision is final and a building permit can be obtained.

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3. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2425-01: KATJA WANDA LIEBERMANN REQUESTS A VARIANCE TO 36-514(c)(2)(a) OF 1' TO THE 5' SIDE YARD (WEST) SETBACK FOR A NEW GARAGE TO BE LOCATED APPROXIMATELY IN THE SAME LOCATION AS AN EXISTING SHED FOR PROPERTY LOCATED AT 1116 W. EUFAULA STREET.

**ITEMS SUBMITTED FOR THE RECORD:**

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

**PRESENTATION BY STAFF:** Justin Fish reviewed the staff report, a copy of which is filed with the minutes.

**PRESENTATION BY THE APPLICANT:**

Katja Wanda Liebermann, 1116 W. Eufaula Street, the applicant, explained the project and provided a photo of the existing shed and a site plan showing the existing and proposed dimensions. She is asking to match the existing location of the shed on the west side with the new garage. The new garage will be 12' wide, and moving it to the 5' setback would impinge on the gate in the fence and the step down from the back door into the yard.

Mr. Howard asked if there are other properties with similar conditions in the area. Ms. Liebermann indicated that behind her property there is a building that is right on the property line, so it is much closer than 4'. She will also be replacing the fence/gate.

Mr. McCarty asked about the fence on the east side of the shed. Ms. Liebermann indicated there is a diagonal fence that closes the area between the house and the shed. She will have to move the fence with the new garage, but there is a set of concrete steps right behind the fence so there is not a lot of space. It will have to be at a 45° angle because there is no other way to get an operable gate into the fence.

Mr. Howard asked about the possibility of moving the structure 1-2' further back. Ms. Liebermann indicated there is an existing tree that will be right behind the proposed garage.

Mr. Howard asked how far the new garage will extend under the canopy of the tree. Ms. Liebermann said she has not measured, but believes she will have to trim some of the branches. Mr. Howard commented that there is limited coverage that you can put over the root system of a tree and not affect its health.

**AUDIENCE PARTICIPATION:**

Dean Carter, owner of 1127 W. Eufaula, expressed concern about safety and fire access with only a 4' setback.

Mr. McCarty explained that Ms. Liebermann will have to apply for a building permit, and during that process they will review fire requirements.

**DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:**

Mr. Bigelow asked if the shed was permitted and when it was built. Mr. Fish did not research when it was built, but thinks it was before the ordinance establishing the 5' setback was adopted.

Motion made by Bigelow, seconded by Worster, to approve the Variance of 1' to the 5' required side yard (west) setback as requested in BOA-2425-01.

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

The motion to approve the Variance of 1' to the 5' required side yard setback (west) as requested in BOA-2425-01 was adopted by a vote of 5-0.

Mr. McCarty noted the ten-day appeal period before the decision is final and a building permit can be obtained.

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4. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/C
- POSTPONEMENT OF BOA-2425-03: MICHAEL AND AIMEE PEAY REQUEST A VARIANCE TO 36-514(c)(2)(a) OF 2' TO THE 5' SIDE YARD (WEST) SETBACK FOR AN ADDITION TO AN EXISTING HOUSE FOR PROPERTY LOCATED AT 1119 W. APACHE STREET.

Item 1.

**ITEMS SUBMITTED FOR THE RECORD:**

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

**PRESENTATION BY STAFF:** Justin Fish reviewed the staff report, a copy of which is filed with the minutes.

**PRESENTATION BY THE APPLICANT:**

Colby Cowart, BJ Roofing & Construction, the contractor and designer for the applicant, reviewed the project. They will be adding 14' to the rear of the house at the northwest corner. Moving the addition to the 5' setback would make the addition more complex and not as natural.

Michael Peay, 915 Foxglove Trail, Fairview, Texas, the applicant, explained that they wanted to find a place in Norman. The house only has one bathroom, and they are trying to get an en suite by adding a bathroom.

Mr. Worster asked what sort of fire barriers might be necessary. Mr. Cowart responded they will have to do a 1-hour fire separation wall on that side of the addition. Mr. Worster asked if that would also have to be on the existing house. Mr. Cowart indicated he would have to ask City staff.

Mr. Bigelow asked about the roofline. Mr. Cowart explained how the roofline will be designed.

**AUDIENCE PARTICIPATION:** None

**DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:**

Mr. Worster commented that the houses are very close together. He was concerned with the fire rating on the west wall of the existing structure as well as the addition.

Motion made by Howard, seconded by Bigelow, to approve the Variance of 2' to the 5' required side yard (west) setback as requested in BOA-2425-03.

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

The motion to approve the Variance of 2' to the 5' required side yard (west) setback requested in BOA-2425-03 was adopted by a vote of 5-0.

Mr. McCarty noted the ten-day appeal period before the decision is final and a building permit can be obtained.

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**MISCELLANEOUS COMMENTS - None**

*Item 1.*

**ADJOURNMENT**

There being no further business and no objection, the meeting adjourned at 5:02 p.m.

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Secretary, Board of Adjustment



## CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 9/25/2024

**REQUESTER:** Brandon & Megan Swart

**PRESENTER:** Justin Fish, Planner I

**ITEM TITLE:** CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2425-04: BRANDON AND MEGAN SWART REQUEST A VARIANCE TO 36-514(c)(3) OF 9'9" TO THE 20' REAR YARD SETBACK FOR A SECOND STORY DECK FOR PROPERTY LOCATED AT 4100 NICOLE PLACE.

<b>APPLICANT</b>	Brandon & Megan Swart
<b>LOCATION</b>	4100 Nicole Pl.
<b>ZONING</b>	R-1, Single Family Dwelling District
<b>REQUESTED ACTION</b>	Variance of 9' 9" to the required 20' rear yard setback for the construction of an addition to rear side of the home for a second story deck.
<b>SUPPORTING DATA</b>	Location Map Application with attachments Site Plan

**SYNOPSIS:** The applicant is seeking the approval of a variance so they may construct a second story deck. This deck is part of a second story addition. The variance being request is as follows:

1. A variance of 9' 9" to the required 20' rear yard setback.

The application, site plan, and the variance justification 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:

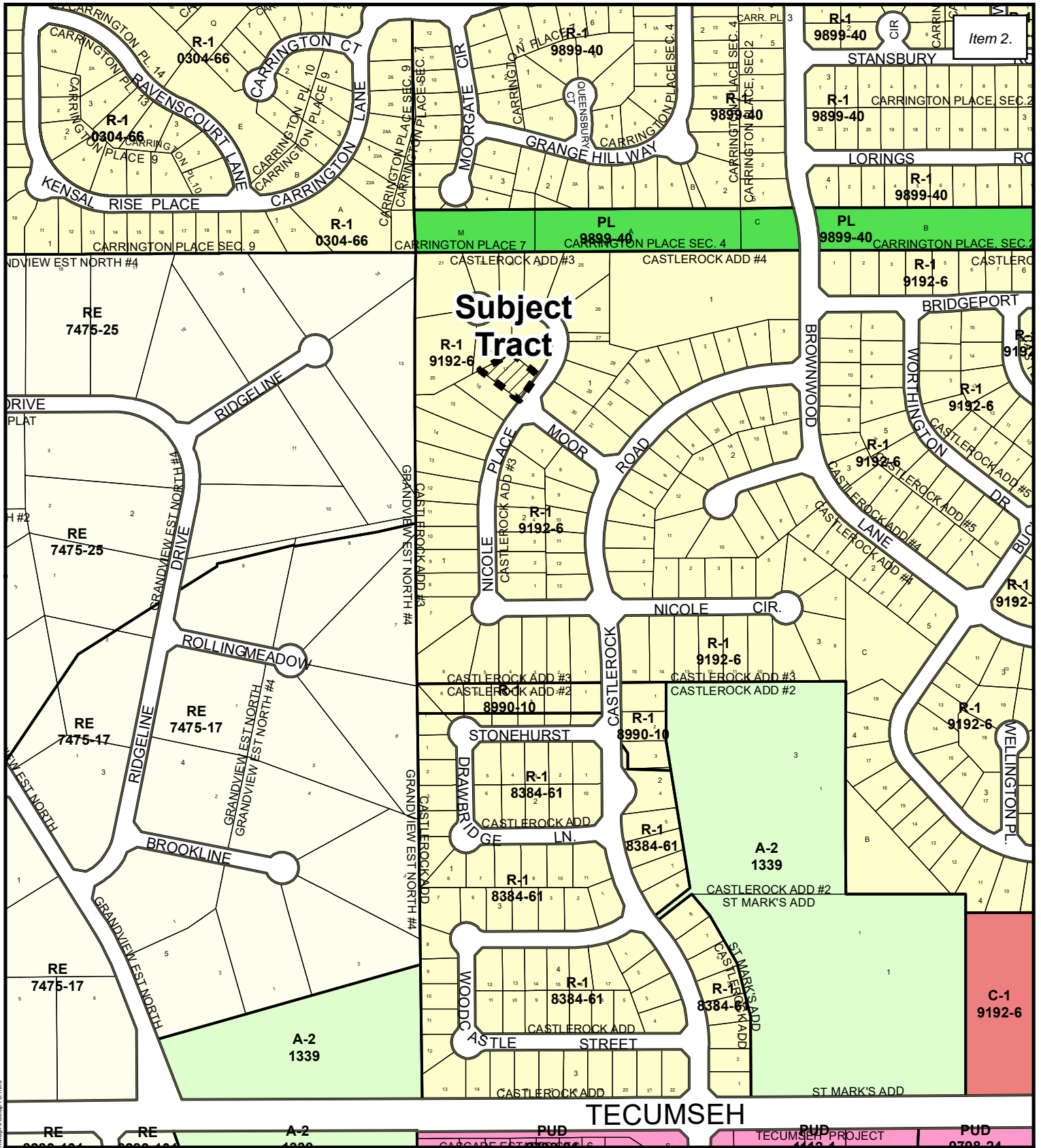
- (1) An applicant shall submit to the Board of Adjustment a written application indicating:

- (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.

**DISCUSSION:** The existing single-family home on the subject lot sits, at its closest point, 23' 6" from the rear property line. The rear property line is angled to the Northeast causing the amount of depth to decrease by a total 49' when the rear and side yard property lines meet in the Northeast corner. The proposed deck addition would place the home at 11' 6" from the rear property line. This is displayed on the proposed site plan.

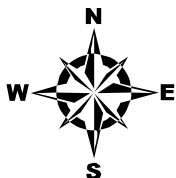
**CONCLUSION:** Staff forwards this request for a variance BOA-2425-04 to the Board of Adjustment for consideration.



# 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.



September 5, 2024

0 200 400 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

<b>APPLICANT(S)</b> Brandon and Megan Swart	<b>ADDRESS OF APPLICANT</b> 4100 Nicole Place Norman, OK 73072
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<b>NAME AND PHONE NUMBER OF CONTACT PERSON(S)</b> Megan Swart 4053808900 Brandon Swart 4056238785	<b>EMAIL ADDRESS</b> megan.willis44@gmail.com brandon.swart8785@gmail.com
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**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)

Class Urban Reside School District NORMAN CITY 29 Section 10 Township 9 Range 3W Account Type Residential Legal Description CASTLEROCK 3 LOT 17 BLK 1

**Requests Hearing for:**

- ☒ VARIANCE from Chapter 36, Section 514(c)(3)  
☐ SPECIAL EXCEPTION to \_\_\_\_\_

**Detailed Justification for above request** (refer to attached Review Procedures and justify request according to classification and essential requirements therefor). For any variance, the "Detailed Justification of Variance Request" form must be completed and attached:

Wanting to add on an addition. Addition will be within 20 ft of fence line. See plans.

*building 2nd story addition with back patio  
 Trex decking over patio  
 Second story deck built over back patio*

**SIGNATURE OF PROPERTY OWNER(S):**

*Megan Swart*  
*Brandon Swart*

**ADDRESS AND TELEPHONE:**

4100 Nicole Place Norman, OK 73072

4053808900

4056238785

OPTIONAL

- ☐ Application & Detailed Justification Form  
☐ 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 \_\_\_\_\_

08/30/2014 int





# CERTIFICATION OF OWNERSHIP

Case No. \_\_\_\_\_

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

DATE: 08/29/2024

I, Megan Swart, 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:

4100 Nicole Place Norman, OK 73072  
 Section 10 Township 9 Range 3W  
 Castlerock 3 Lot 17 Blk 1

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

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

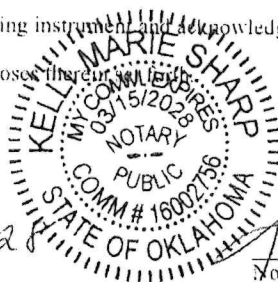
Owner's Signature: Megan Swart  
 Address: 4100 Nicole Place Norman, OK 73072

Agent's Signature: \_\_\_\_\_  
 Address: \_\_\_\_\_

## NOTARY

Before me, the undersigned, a Notary Public in and for the State of Oklahoma, on this 29 day of August, 2024, personally appeared Megan Swart, 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 expressed.

(SEAL)

My commission expires: 3/15/2028

Kelli M. Sharp  
 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



**BOARD OF ADJUSTMENT**  
**DETAILED JUSTIFICATION OF VARIANCE REQUEST**

Item 2.

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

Revised 08/23

Please attach additional sheets, as necessary.

Special conditions or 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:

there is not enough room on the property  
to build addition without encroaching on  
to the rear setback

Attest

*[Signature]*

The literal interpretation of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district:

we wouldn't be able to build addition  
without going over setback due  
to where house sits on property

Attest

*[Signature]*

The special conditions or circumstances do not result from the actions of the applicant:

the house was purchased "non conforming"  
the shape of the yard is not square  
so you lose space in the yard

Attest

*[Signature]*

Granting of the Variances requested will not confer on the applicant any special privilege that is denied to other lands, structures, or buildings in the same district:

no special permissions being asked for  
OK  
that wouldn't be granted to other property  
owners

Attest

*[Signature]*



## **Scope Of Work**

### **Labor: Demo**

- Install bracing as needed so that desired portions of roof structure can be removed for second story addition
- Remove brick veneer on designated area on North side of home
- Remove current back patio roof
- Remove current back patio concrete
- Remove drywall as needed to allow for plumbing to be ran to downstairs main lines
- Remove concrete as needed in laundry room to allow for plumbing drain and supply lines to be connected

### **Concrete Labor**

- Dig and pour footings and pad for stairwell area of second story addition
- Dig and pour footings and pad for back patio

### **Labor: Framing**

- Frame second story addition as shown in plans provided
- Build Trex Deck with Rain Escape System over back patio area
- Sheet and deck second story addition
- Install all exterior doors and windows for second story addition
- Install fascia, soffit and siding for second story addition

### **Plumbing Labor**

- Run second story bathroom drain and supply lines per code
- Connect to existing plumbing in downstairs laundry room
- Set fixtures and lavatories for second story bathroom

### **Electrical Labor**

- Install electrical per code as shown in design
- Set fixtures as shown in design

### **HVAC Labor**

- Install required size central heat and air unit for second story addition

**Insulation Labor**

- Install R15 batted insulation in walls
- Install R30 blow in insulation in attic areas

**Door Labor**

- Install interior doors as shown in design

**Drywall Labor**

- Install drywall as needed for second story addition in stairwell
- Mud, tape and texture to match existing

**Flooring Labor**

- Install flooring as needed for second story addition

**Trim Labor**

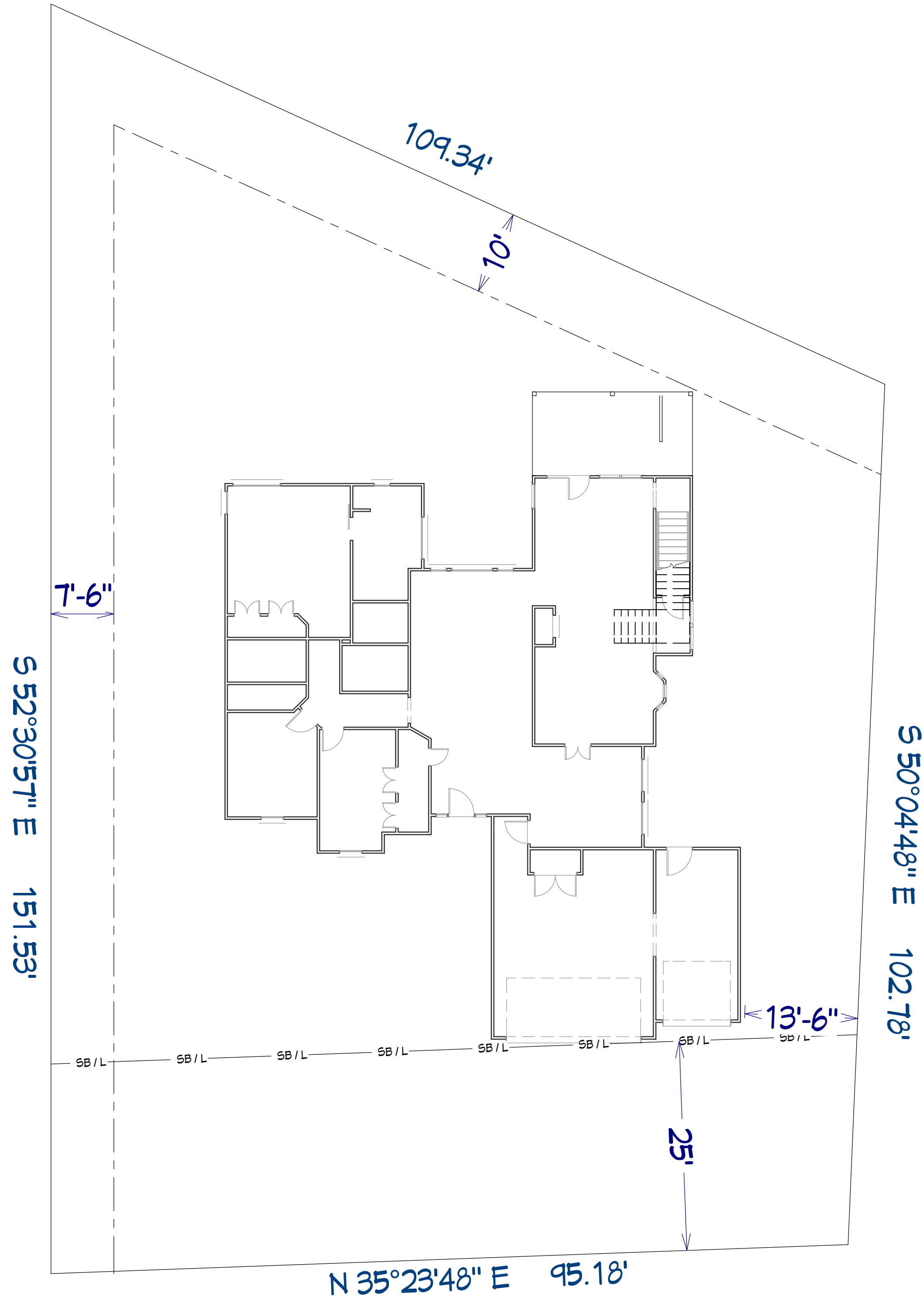
- Install door, window trim as needed
- Install baseboards as needed

**Painting Labor**

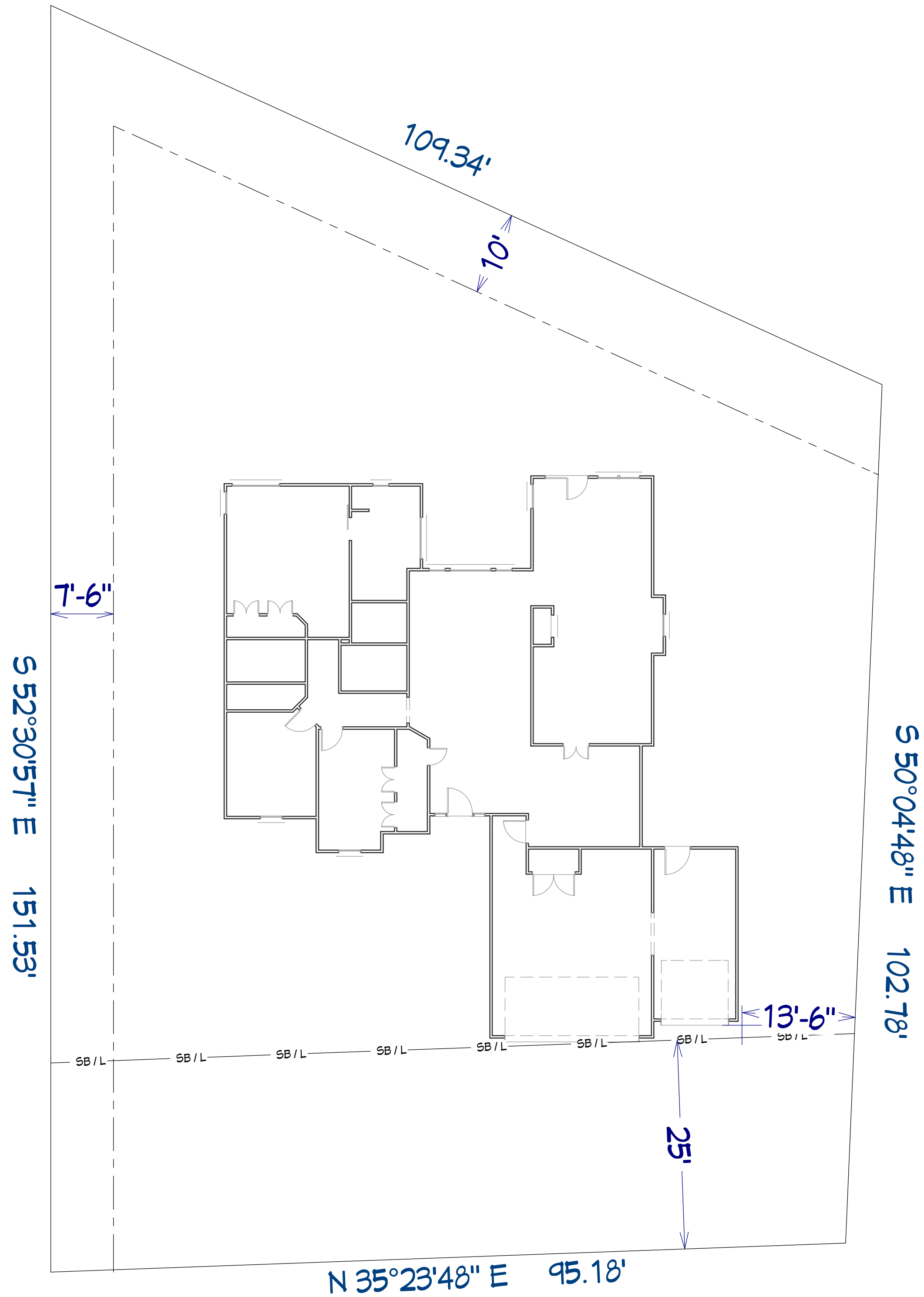
- Paint interior and exterior as needed (client selected colors)

Signature: \_\_\_\_\_

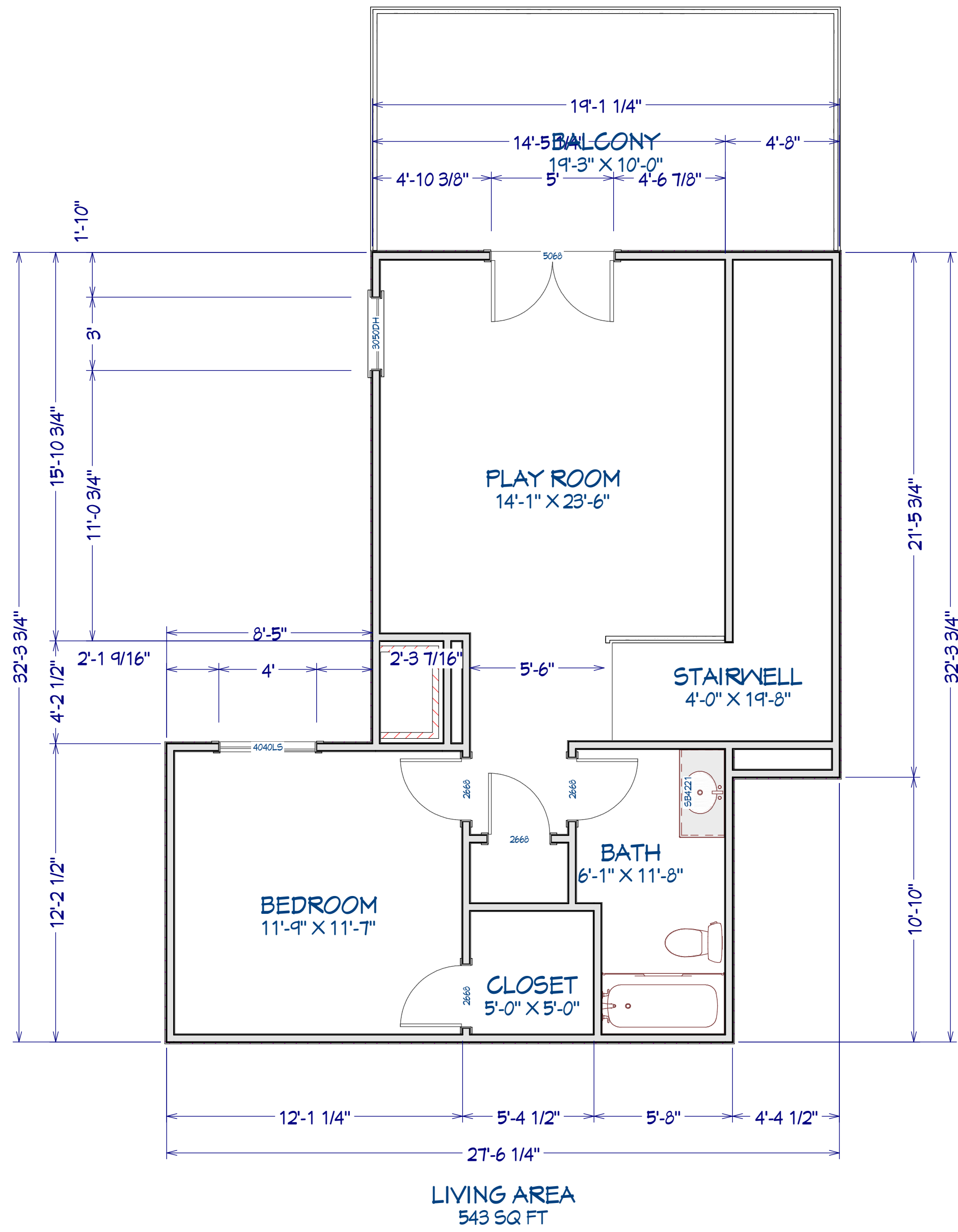
Date: \_\_\_\_\_



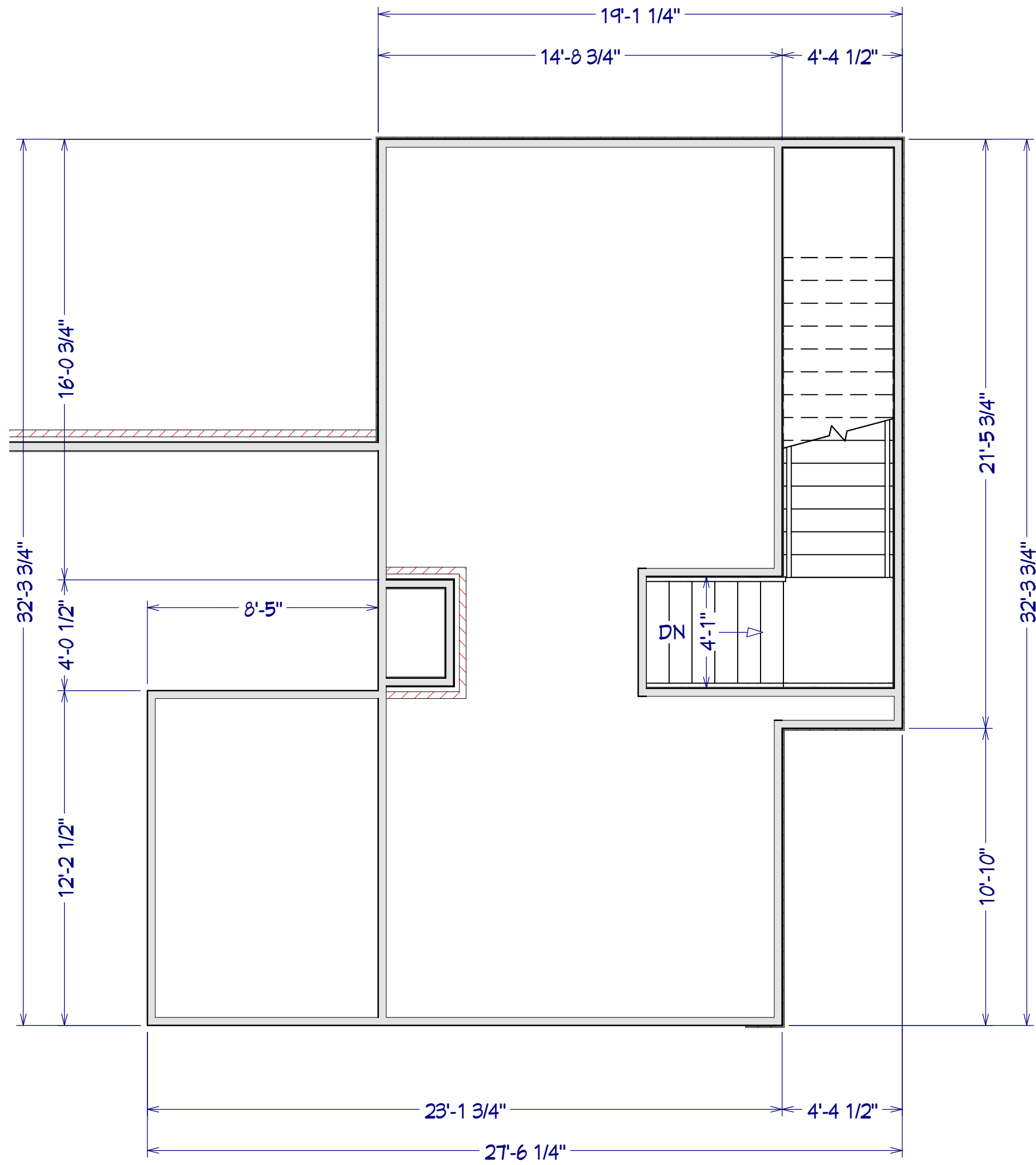
Remodel



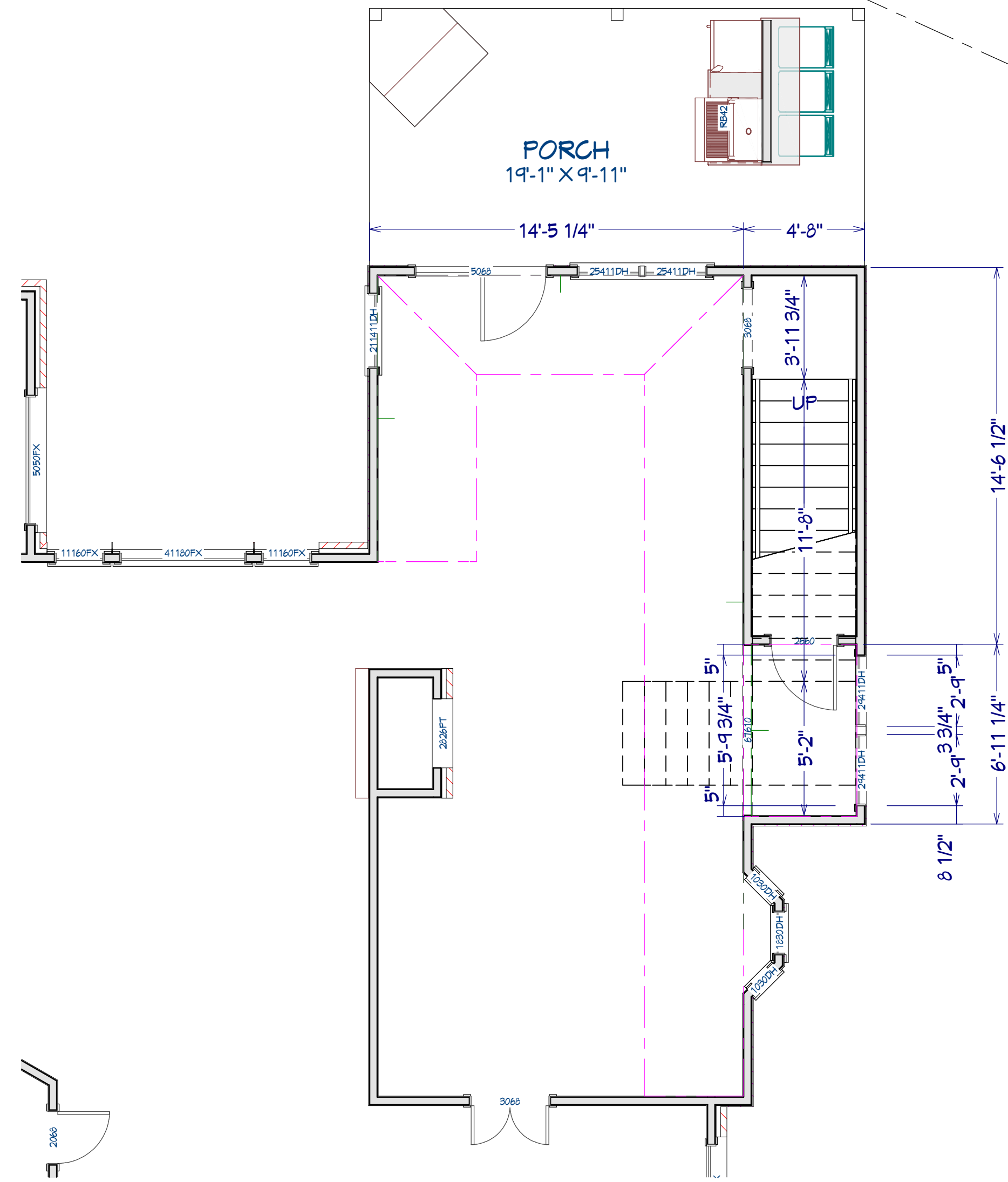
As-Built



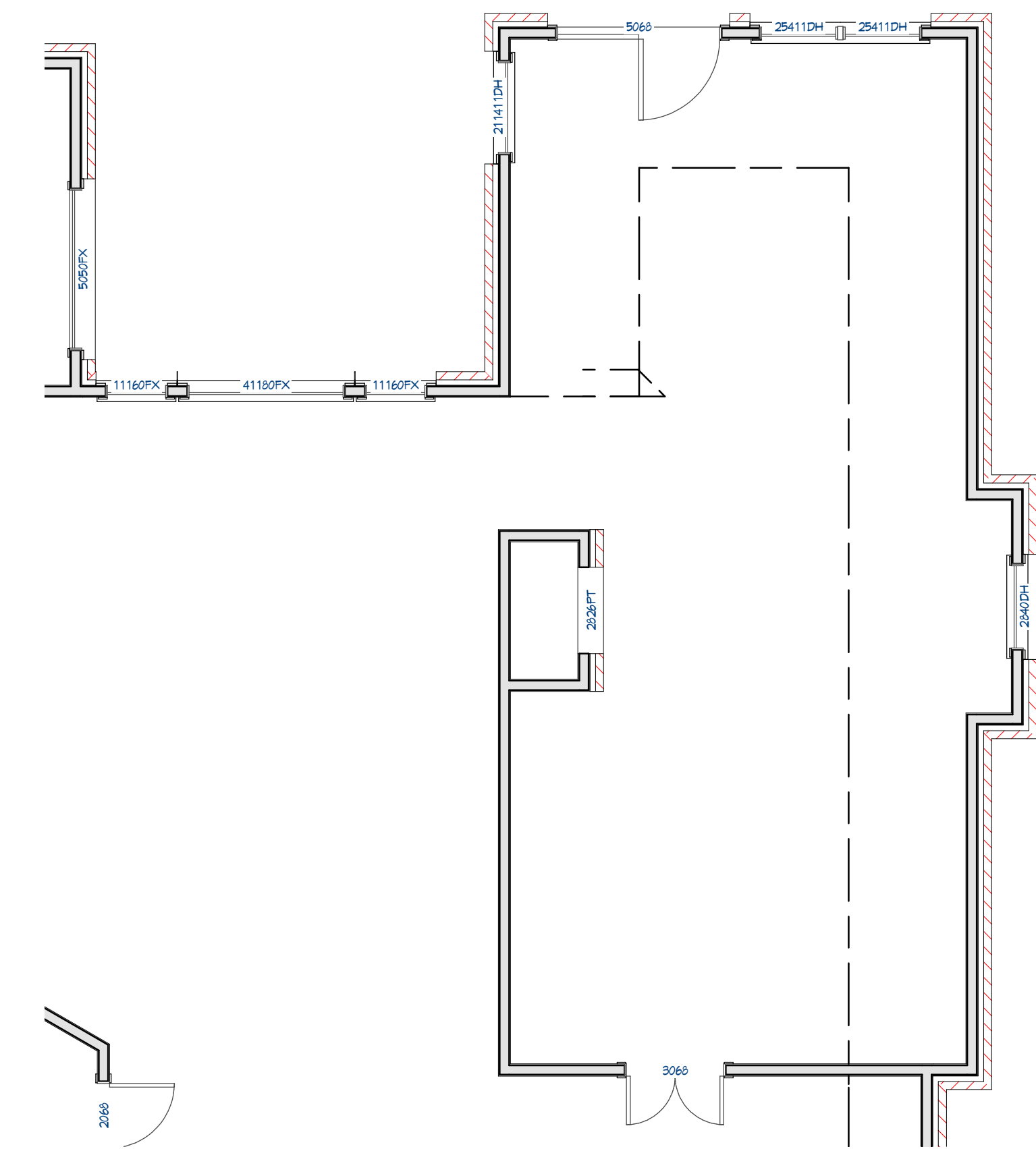
2nd Floor - Addition



2nd Floor Support Framing - Remodel



1st Floor - Remodel



As-Built

Drawing Title: FLOOR PLAN		Project Location: 4100 Nicole Pl. Norman, OK		Project Name: Smart Remodel	
Date: 6/27/2024	Drawn By: D. Biggs	Revision Table		Item 2.	
Project No.: 24-RR-0-TLC7		NUMBER	DATE	REVISION BY	DESCRIPTION
Sheet No. A1					



Interior Staircase Specification

General

Style  
Stringers  
Breakline  
Railing  
Newels/Balusters  
Rails  
Line Style  
Fill Style  
Materials  
Arrow  
Components

Staircase Information

Start and end heights are set manually.

Best fit riser height of 6 7/8" requires 23 total risers to reach 157 3/4" to next level.

Number of Sections: 2

Number of Landings: 1

Number of Risers: 22

Rise Angle: 35.94

[Make Best Fit](#)

Advanced Options

☐ Automatic Treads  
☒ Lock Tread Depth  
☐ Lock Number of Treads

☐ Automatic Heights  
Top Height Reference  
☒ Floor/Landing  
☐ Top Tread  
☐ Ignore Subsection Boundaries

☐ Lock Top  
☒ Lock Bottom

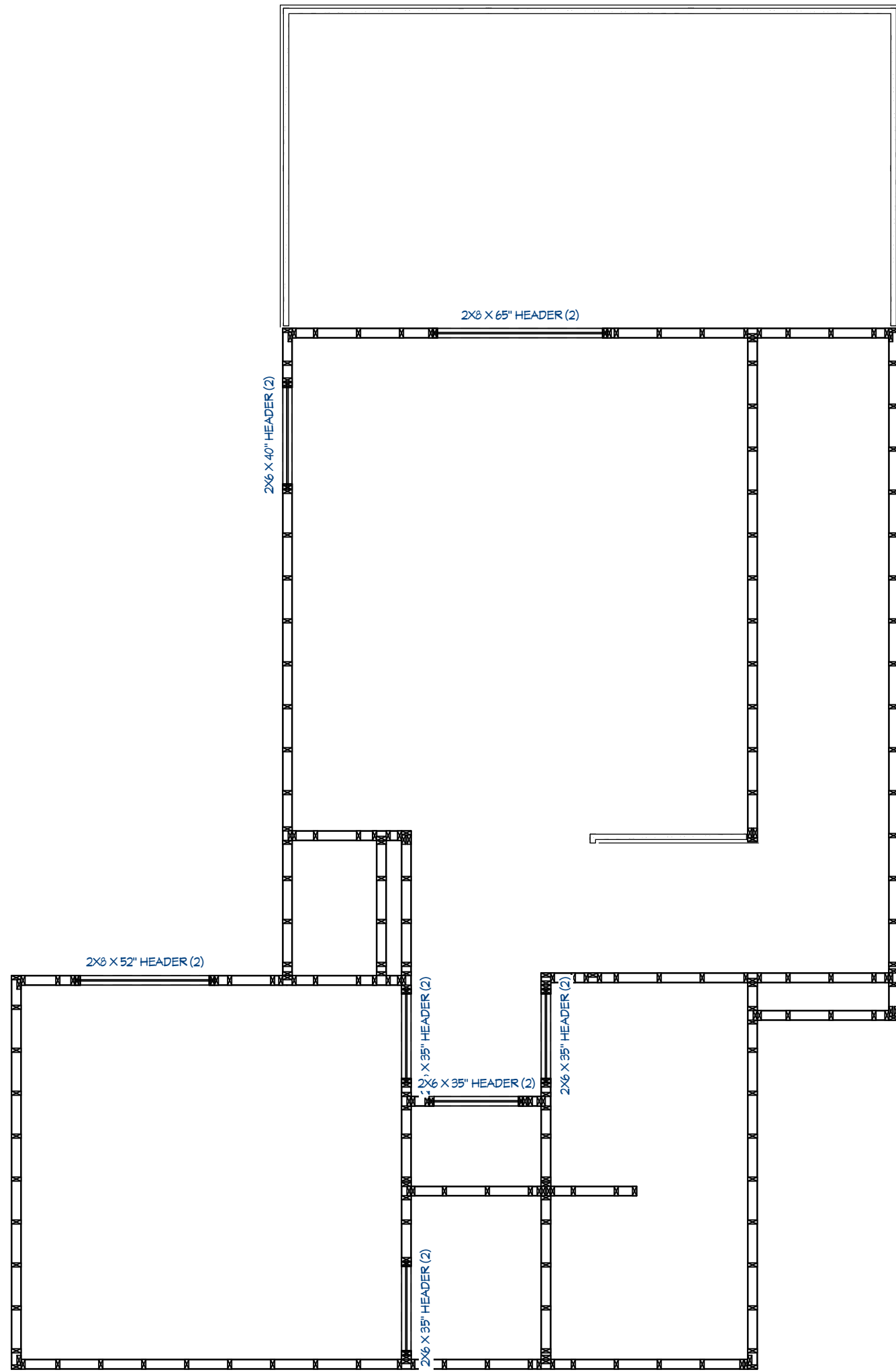
Section Number	Length	Width	Tread Depth	Treads	Bottom Height	Top Height	Riser Height	Winders
<input checked="" type="radio"/> 1	140"	48"	10"	14	7/8"	109 5/8"	7 1/4"	<input type="checkbox"/>
<input type="radio"/> 2	60"	48"	10"	6	109 5/8"	158 5/8"	7"	<input type="checkbox"/>

Number Style...

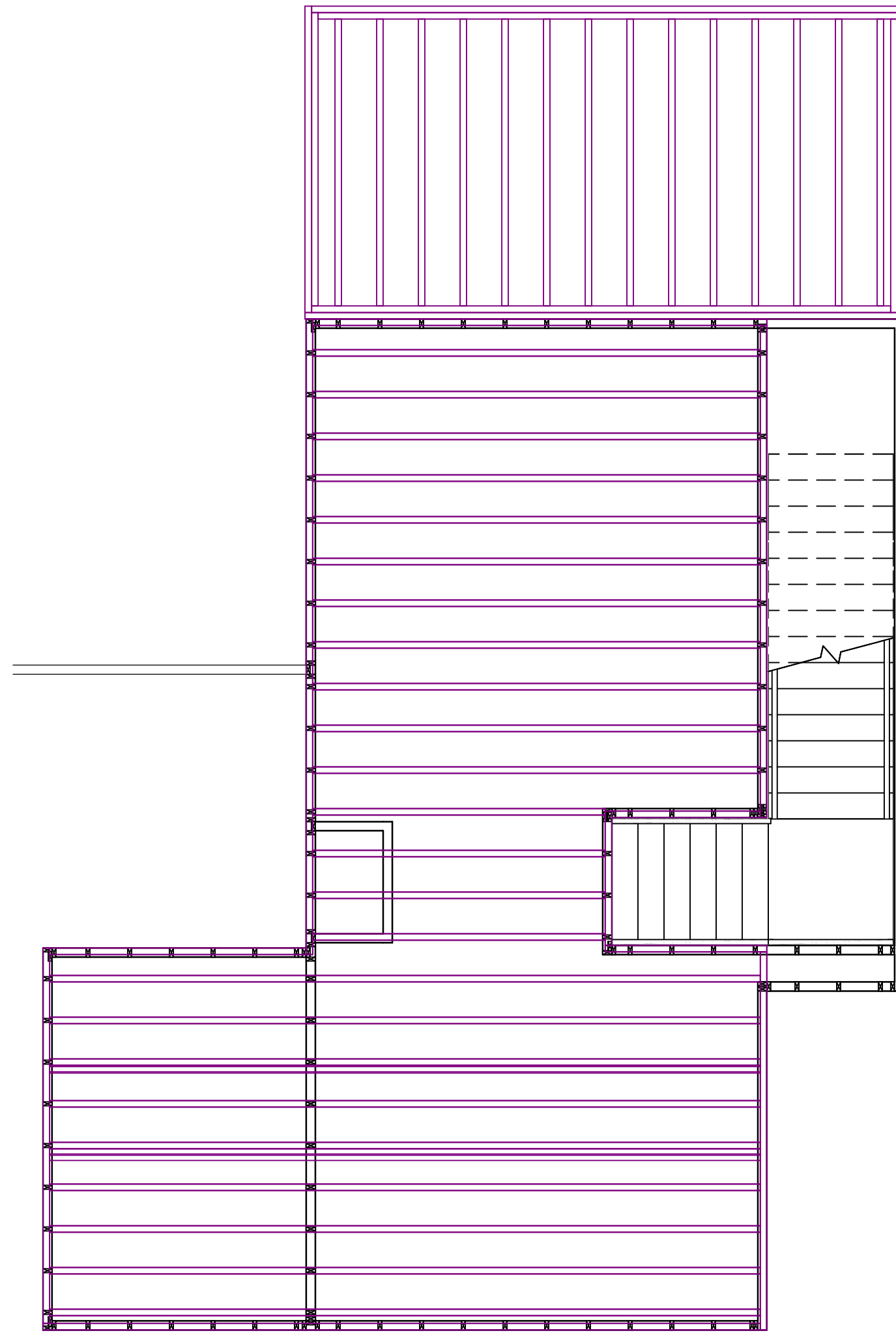
OK

Cancel

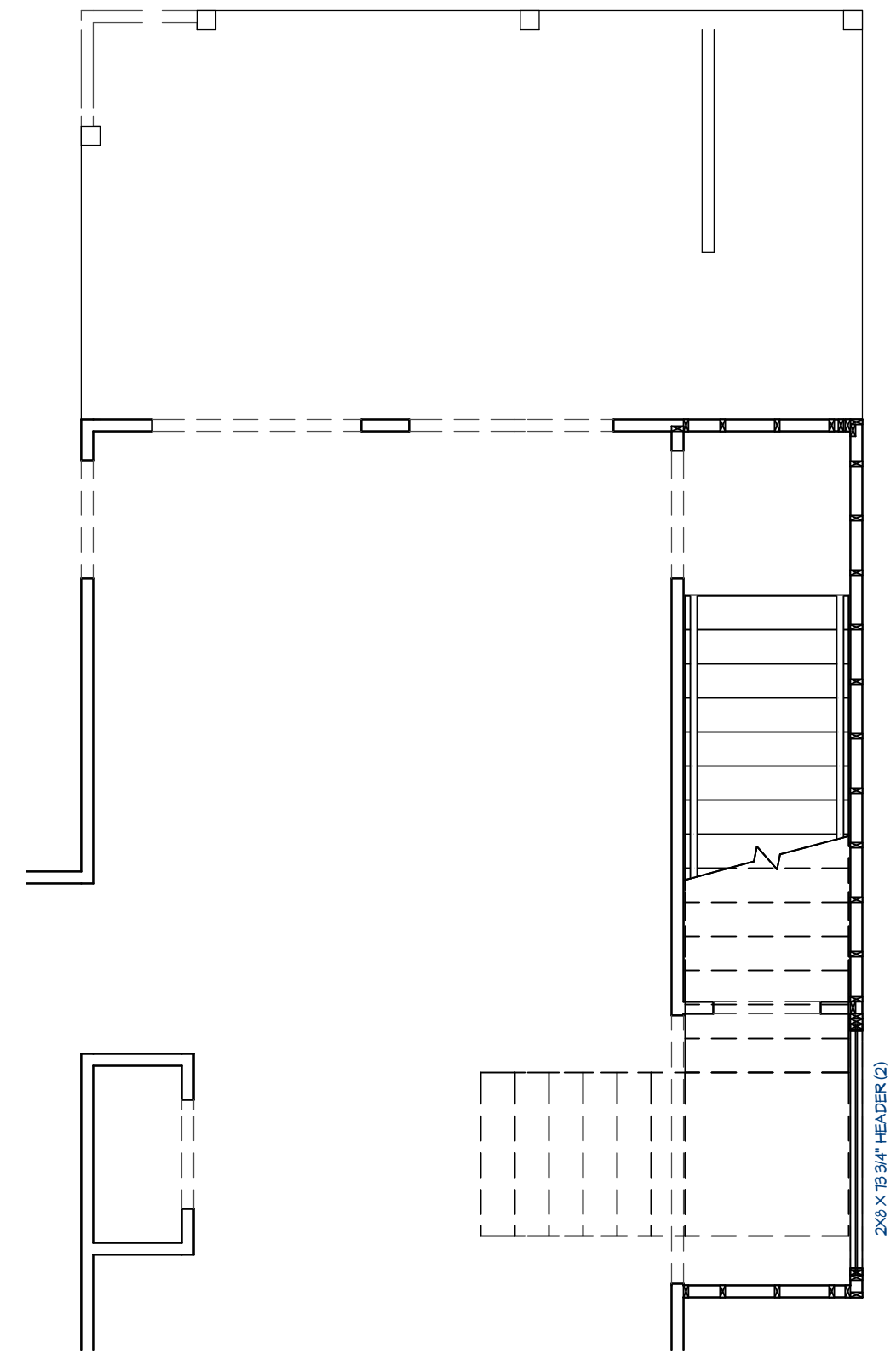
Help



## Framing, Floor Plan View



## Framing, Floor Plan View



## Framing, Floor Plan View

Sheet No.		Drawing Title: FLOOR PLAN - FRAMING	Project Location:  4100 Nicole Pl. Norman, OK			Project Name:
		Date: 6/27/2024 Drawn By: D. Bliggs				
		Project No.:  24-RR-O-TLC7				
			NUMBER	DATE	REVISED BY	REVISION TABLE DESCRIPTION



02

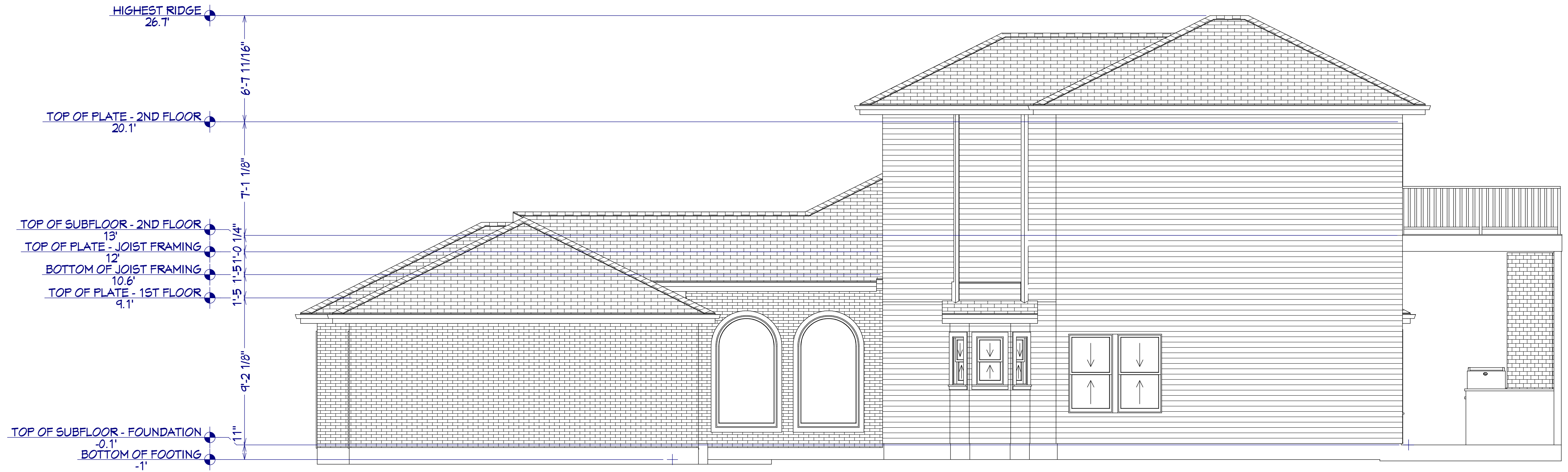
Elevation Plan - Back Elevation  
1/4" = 1'-0"



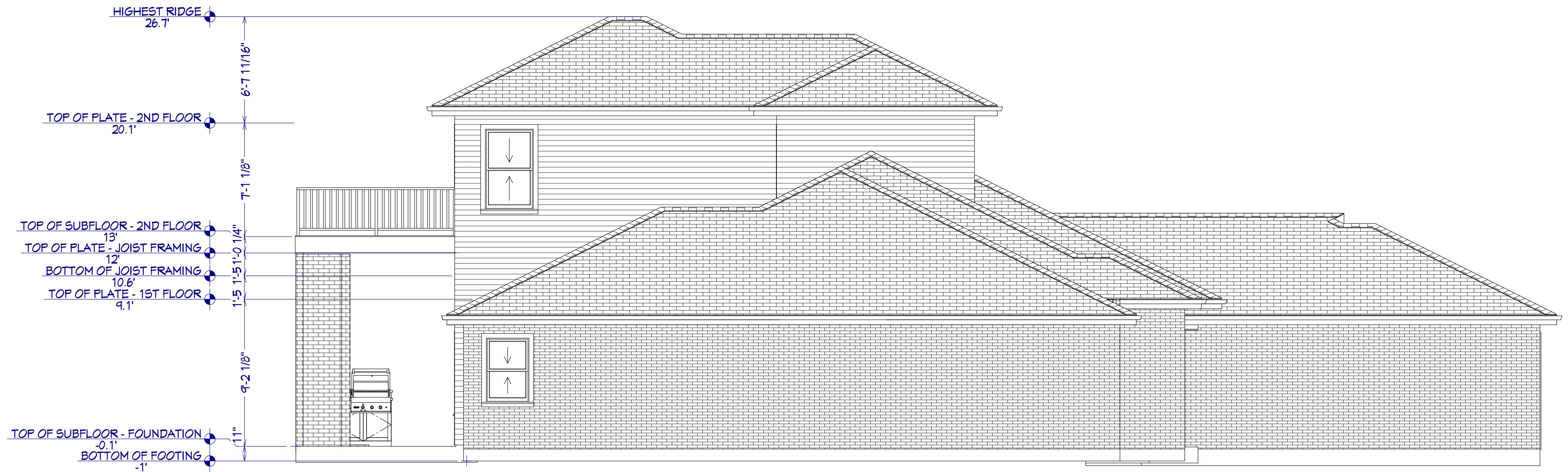
01

Elevation Plan - Front Elevation  
1/4" = 1'-0"

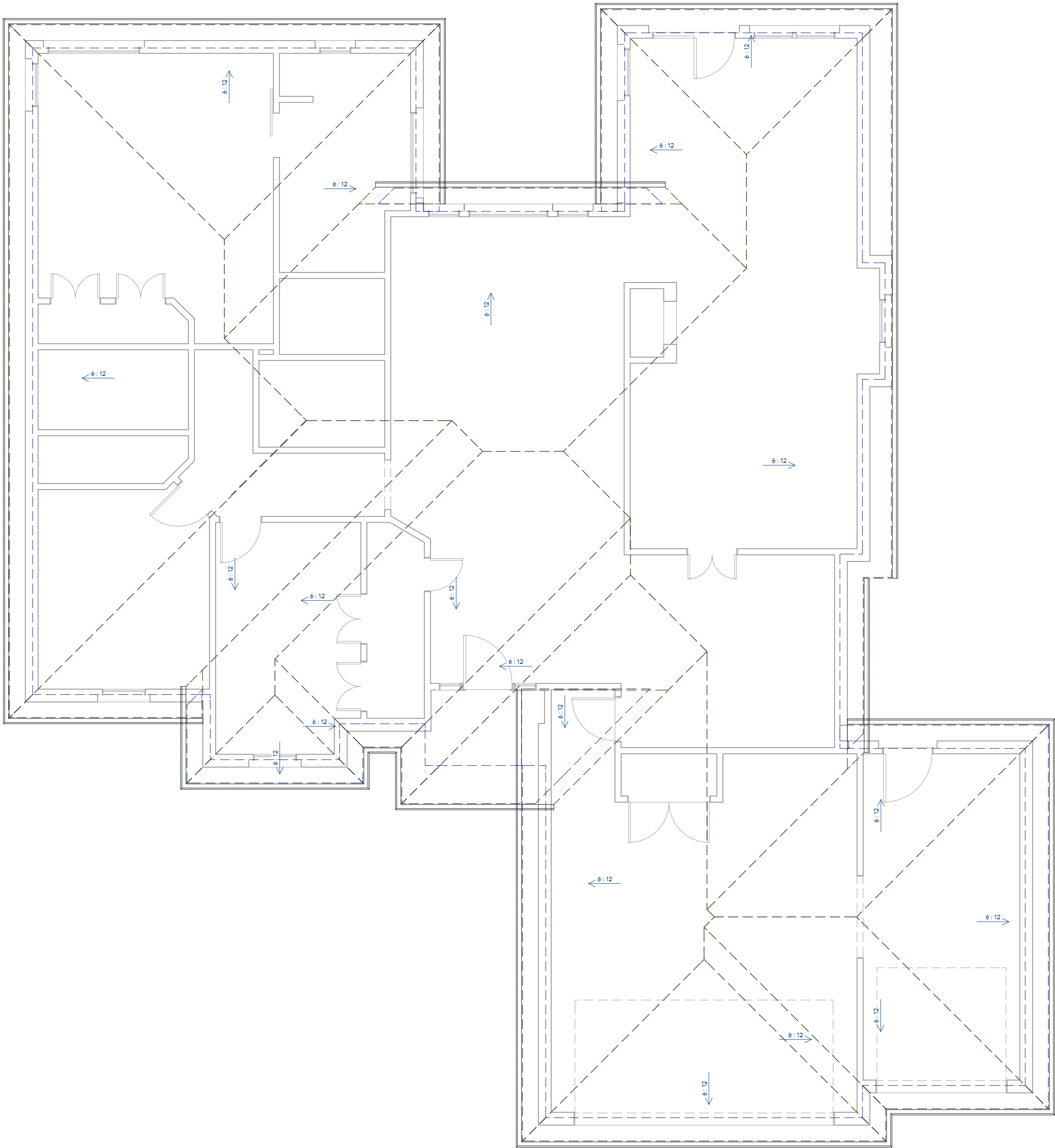




02 Elevation Plan - Right Elevation  
1/4" = 1'-0"



01 Elevation Plan - Left Elevation  
1/4" = 1'-0"



Drawing Title: ROOF PLAN - AS-BUILT		Project Location:		Project Name:		REVISION TABLE	
Date: 6/27/2024	Drawn By: D. Biggs	4100 Nicole Pl. Norman, OK		Swart Remodel		NUMBER	
Project No.: 24-RR-0-TLC7						DATE	REVIS
Sheet No. A5						BY	DESCRIPTION

ROOF FRAMING NOTES:

ALL ROOF FRAMING 24" O.C.

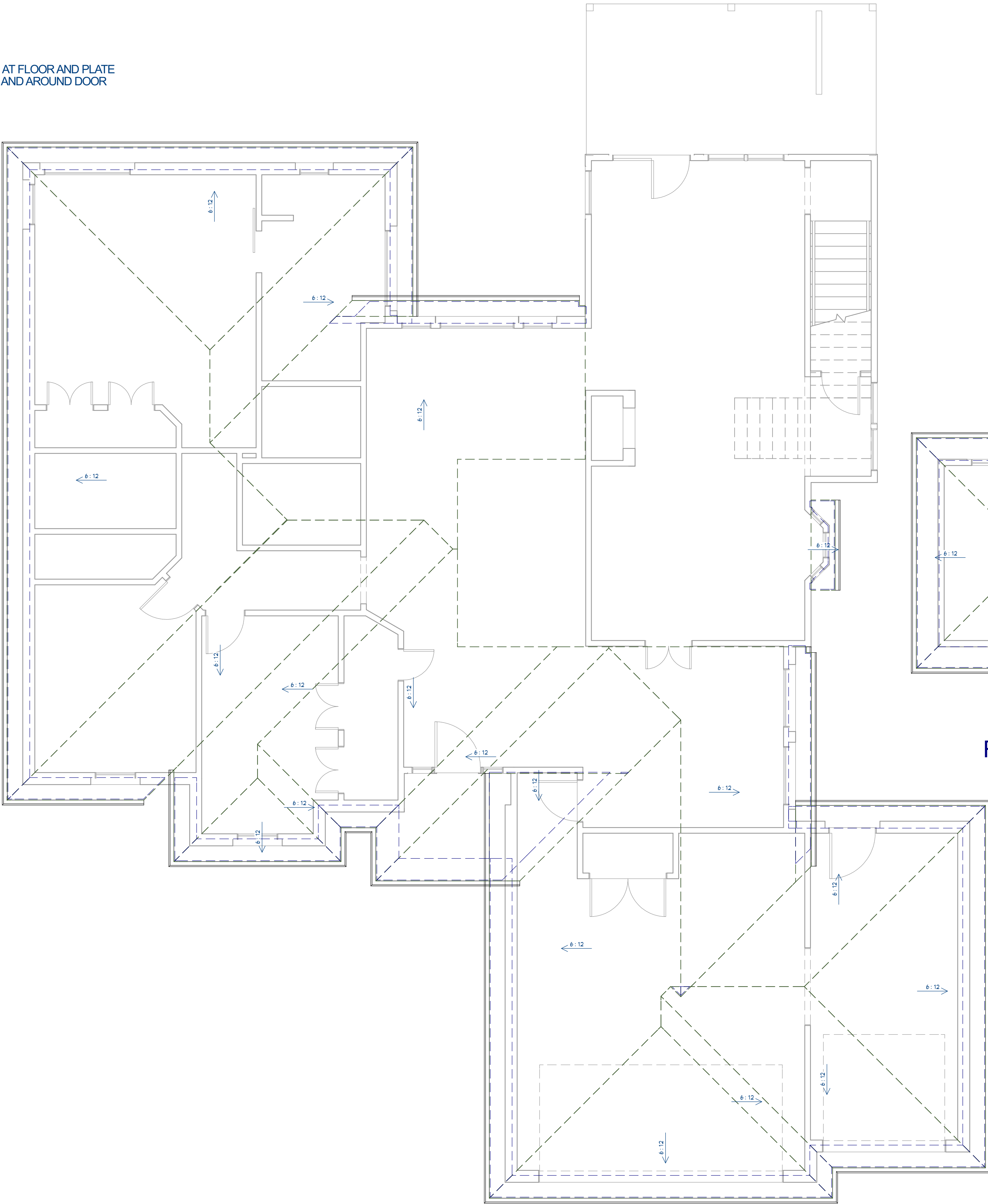
ALL OVERHANGS 16".

INSTALL POLYISOCYANURATE FOAM TYPE INSULATION AT FLOOR AND PLATE LINES, OPENINGS IN PLATES, CORNER STUD CAVITIES AND AROUND DOOR AND WINDOW ROUGH OPENING CAVITIES.

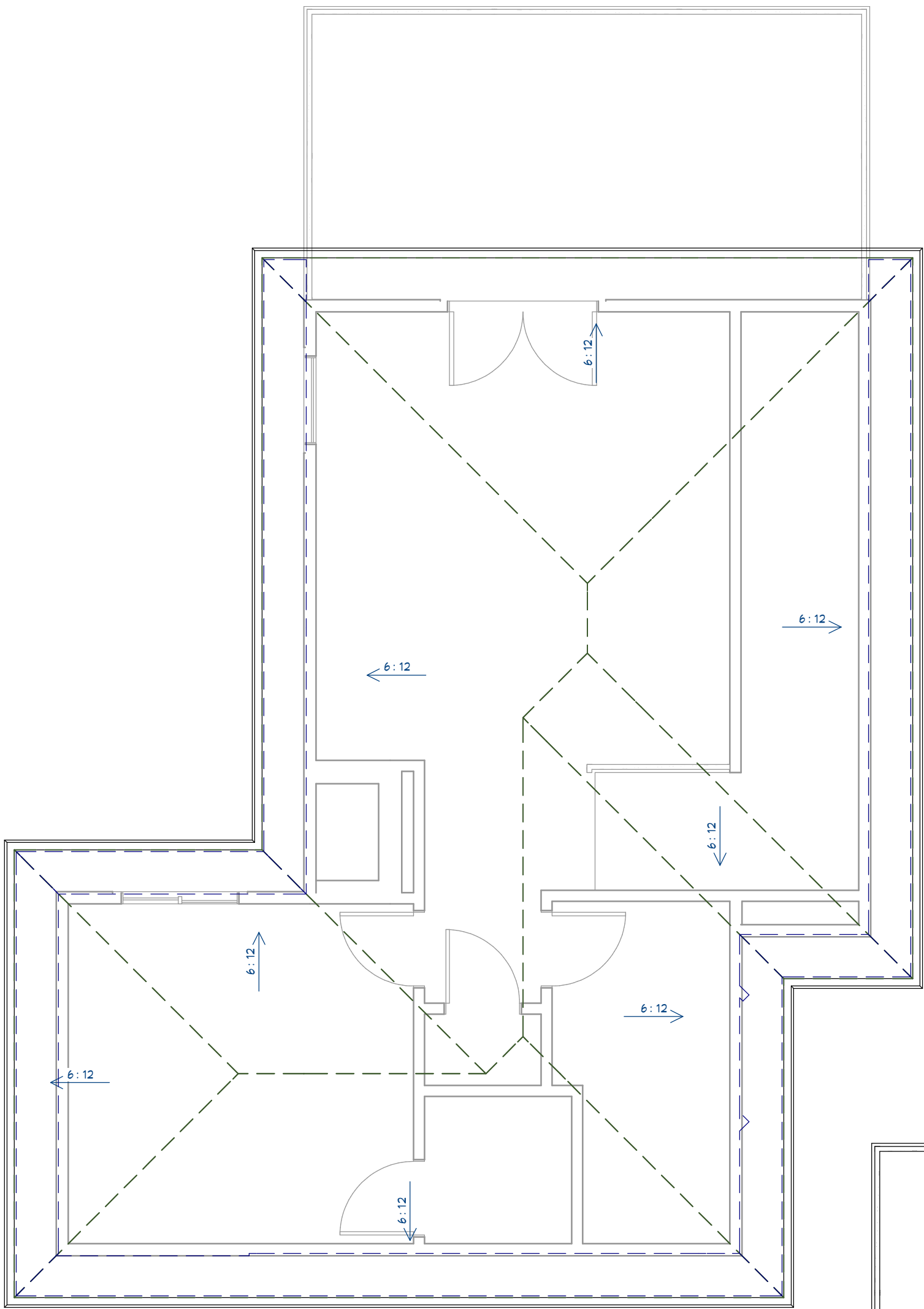
ATTIC VENTILATION: REQUIRED ABOVE HOUSE.

MIN. SNOW LOAD 50 LBS PER SQUARE FOOT.

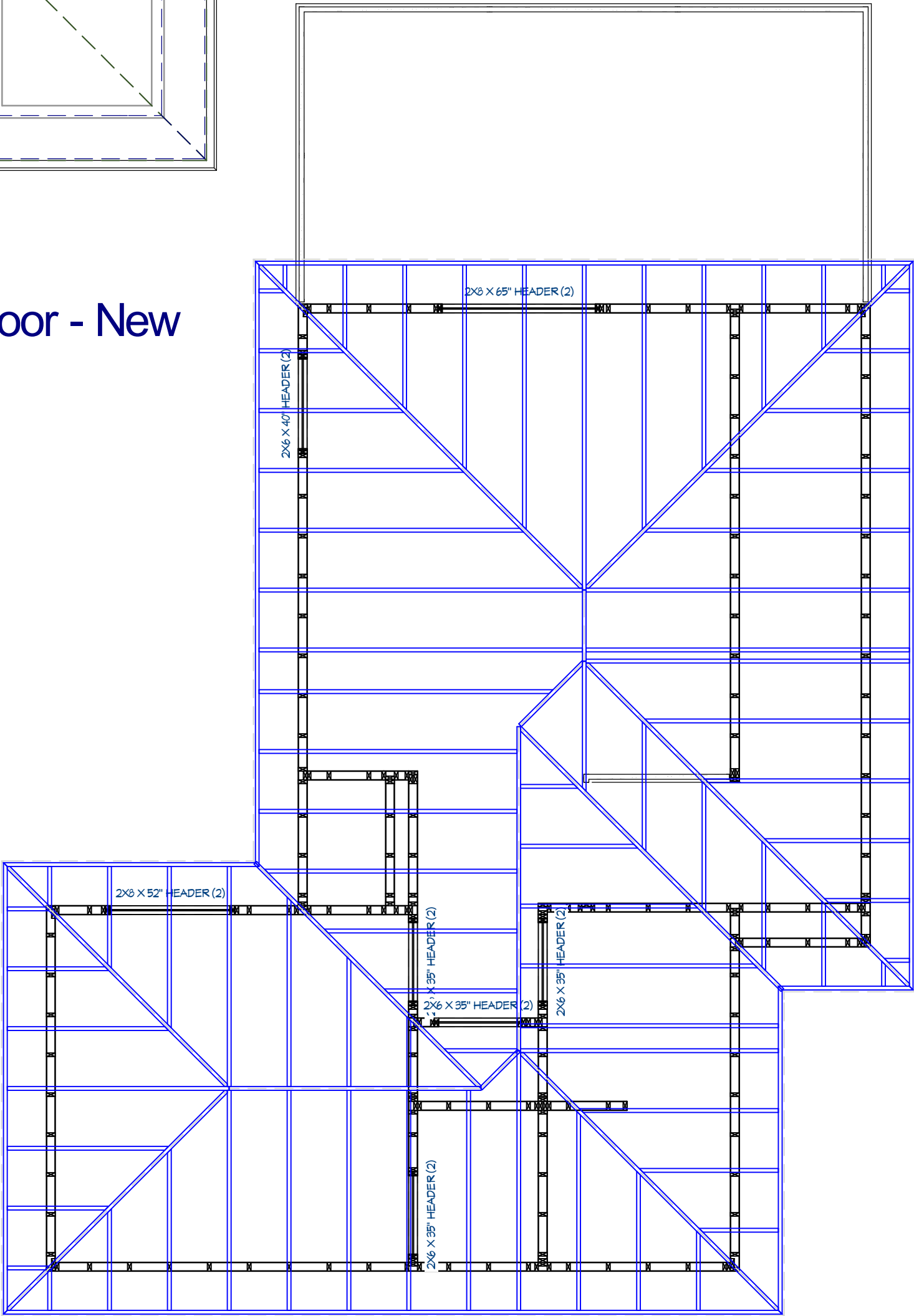
WALL HEADERS: (2) 2 X 10 DF 2 TYP. UNO.



Roof Plan View - 1st Floor - Existing Modified



Roof Plan View - 2nd Floor - New



Framing, Roof Plan View

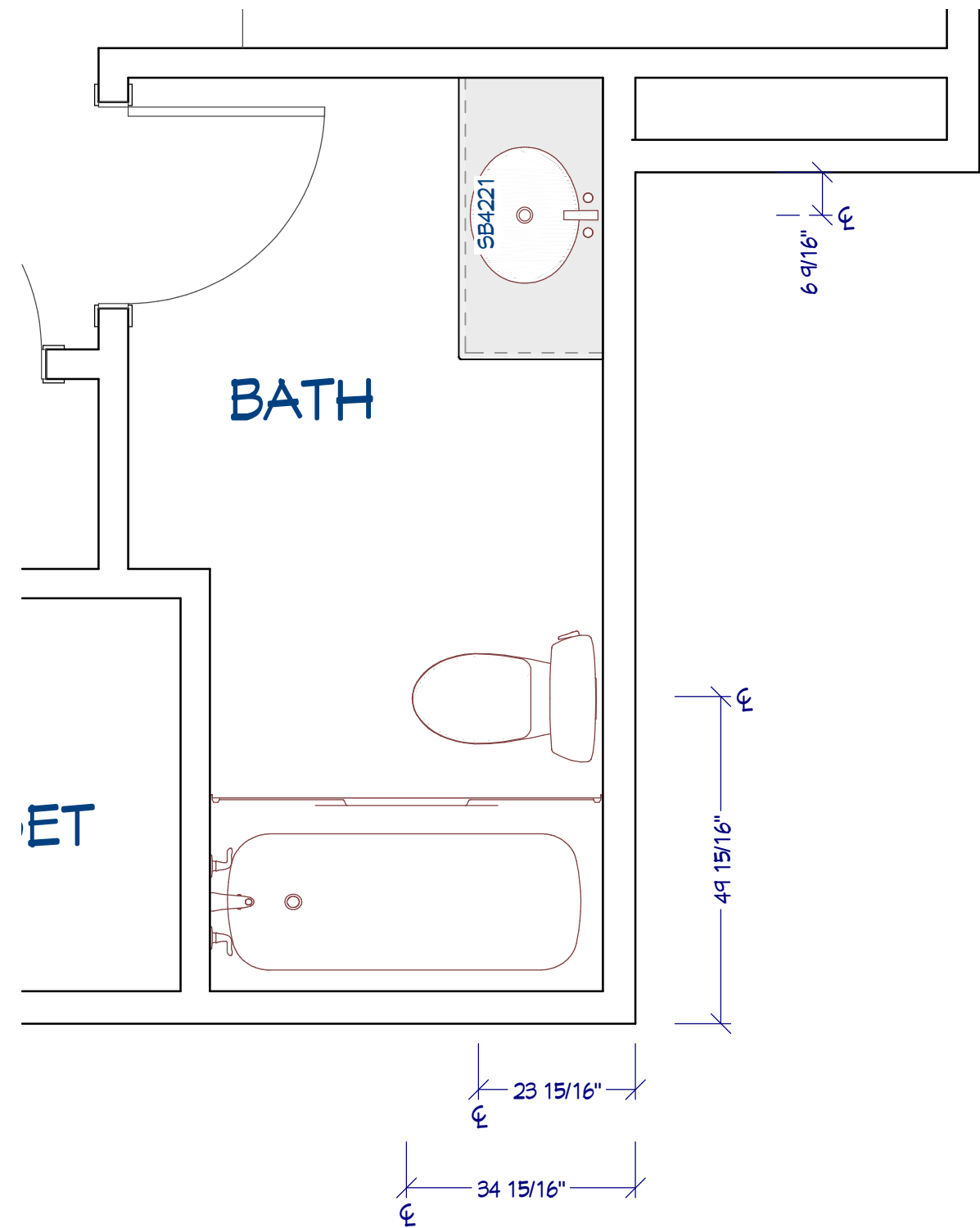
Item 2.	
REVISION TABLE	
NUMBER	DATE
REVISOR	
DESCRIPTION	
Project Name:	
Project Location:	
Drawing Title:	
Date:	Drawn By:
Project No.:	
Sheet No.	

Swart Remodel	
4100 Nicole Pl. Norman, OK	
ROOF PLAN - REMODEL	
6/27/2024	D. Biggs
24-RR-0-TLC7	
A6	





1. HVAC SHALL HAVE TWO ZONES, ONE FOR EACH FLOOR.
2. THE FURNACE AND WATER HEATER ON FLOOR 1 SHALL SERVE FLOORS 1 & 2.
3. DRYER, WATER HEATER, KITCHEN AND BATHROOM VENTING SHALL EXHAUST TO THE OUTSIDE OF THE BUILDING AND BE EQUIPPED WITH A BACK DRAFT DAMPER.
4. TUBS/SHOWERS SHALL BE PROVIDED WITH INDIVIDUAL CONTROL VALVES OF THE PRESSURE BALANCE OR THE THERMOSTATIC MIXING TYPE. THE WATER TEMPERATURE SHALL BE AT A MAXIMUM OF 120°F.
5. HEAT DUCTING SHALL BE SECURED, SEALED AND INSULATED AS APPROPRIATE.
6. INSTALL WATERPROOF GYPSUM BOARD AT ALL WATER SPLASH AREAS TO MINIMUM 70" ABOVE SHOWER DRAINS.
7. INSULATE WASTE LINES FOR SOUND CONTROL.

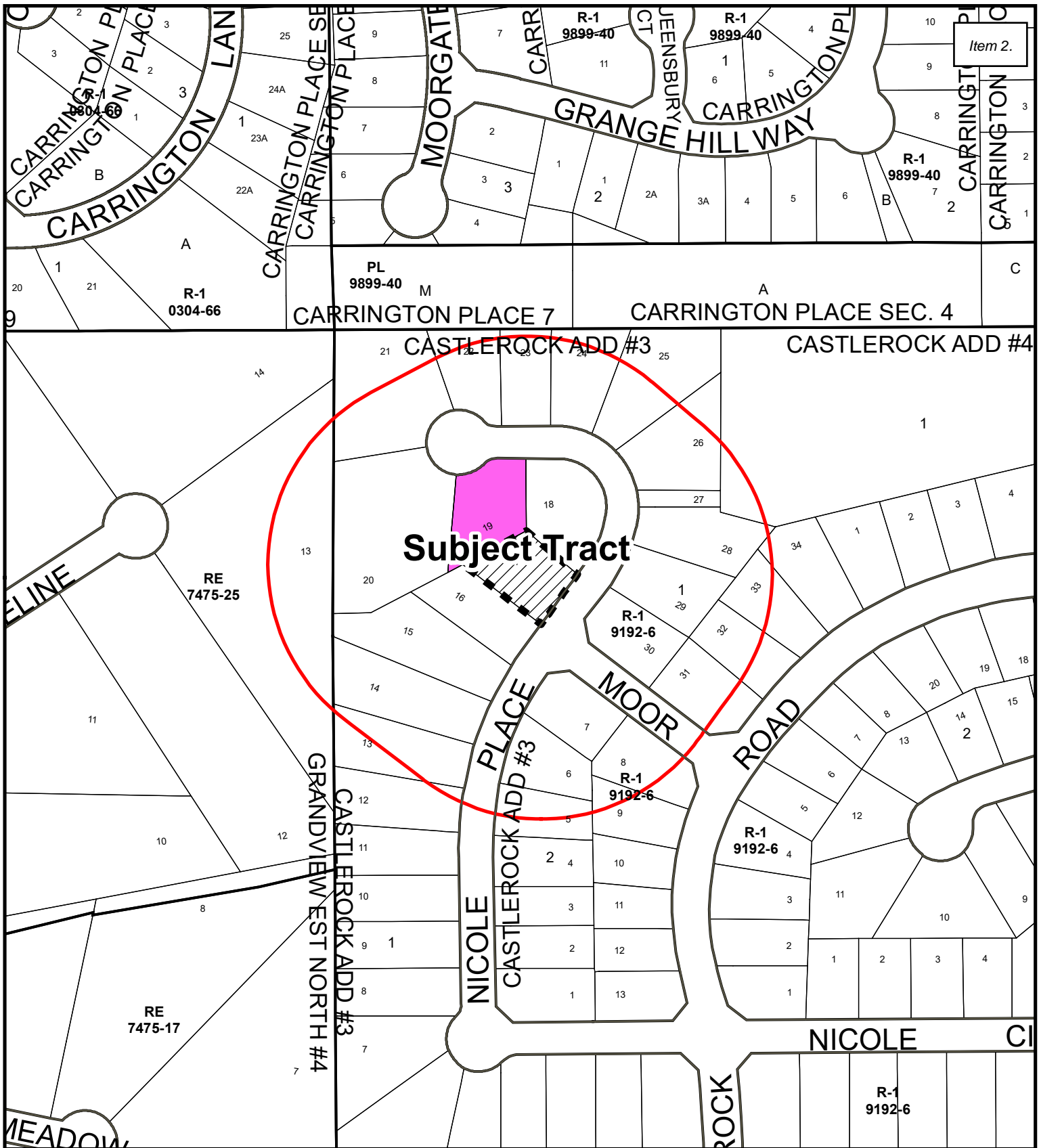


## 01 Plumbing Plan

Item 2.

Sheet No.	Drawing Title: PLUMBING PLAN	Project Location:  4100 Nicole Pl. Norman, OK		Project Name:  Smart Remodel	Revision Table			
		Date: 6/27/2024	Drawn By: D. Biggs		Project No.:  24-RR-0-TLC7	NUMBER	DATE	REVISED BY
P1								

26

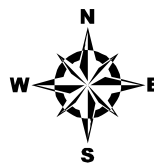


# Protest Map



4.2% 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.



0 100 200 Feet

September 20, 2024

-  Subject Tract
-  Notification Area
-  Protest



**To:** Lora Hoggatt, AICP  
 Planning Services Manager  
 Planning and Community Development Department  
 225 N. Webster Ave., Norman, Oklahoma 73069

**From:** Scott and Patricia Saltus  
 4128 Nicole Place, Norman, OK 73072

**Subject:** Response to Notice of Request for Variance, Dated 10 Sep, 2024 [BOA-2425-04]

Lora, in regards to the Notice of Request for Variance, Dated 10 Sep, 2024 [BOA-2425-04], we are respectively requesting that the 9.9 ft variance for the second story addition to the Swart residence located at 4100 Nicole Place, in the Castlerock subdivision be denied for the reasons listed below, in order of priority.

1. Privacy. The building of a 10 ft wide deck, 10 feet from our fence line will grant them a commanding view to our entire backyard. To my knowledge there is not one other two story house in our subdivision that allows such a view into their neighbor's backyards. Additionally, our master bedroom has three windowed French doors which allow an unrestricted view into our bedroom from the backyard. The proposed deck will be almost opposite these French doors (see figure 1). In order to reclaim our privacy, we will have to cover the French door windows, depriving us of our view to our own back yard, not to mention having to see their activities on their deck.
2. One of the reasons we purchased our home was the privacy of our backyard. Granting the variance irrevocably takes that away, negating that selling point, hence reducing our property value and those of at least two other neighbors.
3. The reason for the established Set Back of 20 feet was, in part, designed to prevent this type of conflicting interests between homeowners and we see no compelling reason to break with that regulation.

We respectfully ask that you take the above concerns seriously in considering whether or not to grant their requested variance. To be clear, we have no issues with their adding a second story, it's just the deck that we oppose.

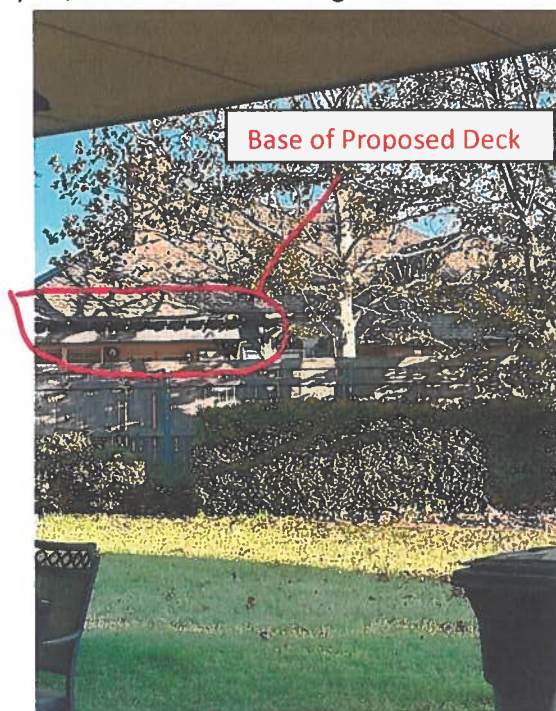


Figure 1 – View of Proposed Deck from Master Bedroom

Sincerely,

Scott Saltus

Patricia Saltus



## CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 9/25/2024

**REQUESTER:** Elizabeth Greenhaw

**PRESENTER:** Justin Fish, Planner I

**ITEM TITLE:** CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2425-05: ELIZABETH GREENHAW REQUESTS A VARIANCE TO 36-514(c)(2)(b) OF 10' TO THE 20' SIDE YARD SETBACK REQUIRED FOR A CORNER LOT FOR PROPERTY LOCATED AT 1001 CLASSEN BOULEVARD.

<b>APPLICANT</b>	Elizabeth Greenhaw
<b>LOCATION</b>	1001 Classen Blvd
<b>ZONING</b>	R-1, Single-Family Dwelling District
<b>REQUESTED ACTION</b>	Variance to the 36-514 (c)(2)(b) of 10' to the required 20' side yard setback on the North property line for the construction of a new home.
<b>SUPPORTING DATA</b>	Location Map Application with attachments Site Plan

**SYNOPSIS:** The applicant is seeking the approval of a variance for the construction of a single family home. The applicant demolished the previous home on this property. The owners now wish to build back at a 10' side yard setback. The variance being requested is as follows:

1. A variance of 10' to the required 20' side yard setback.

The application, site plan, and the variance justification 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:

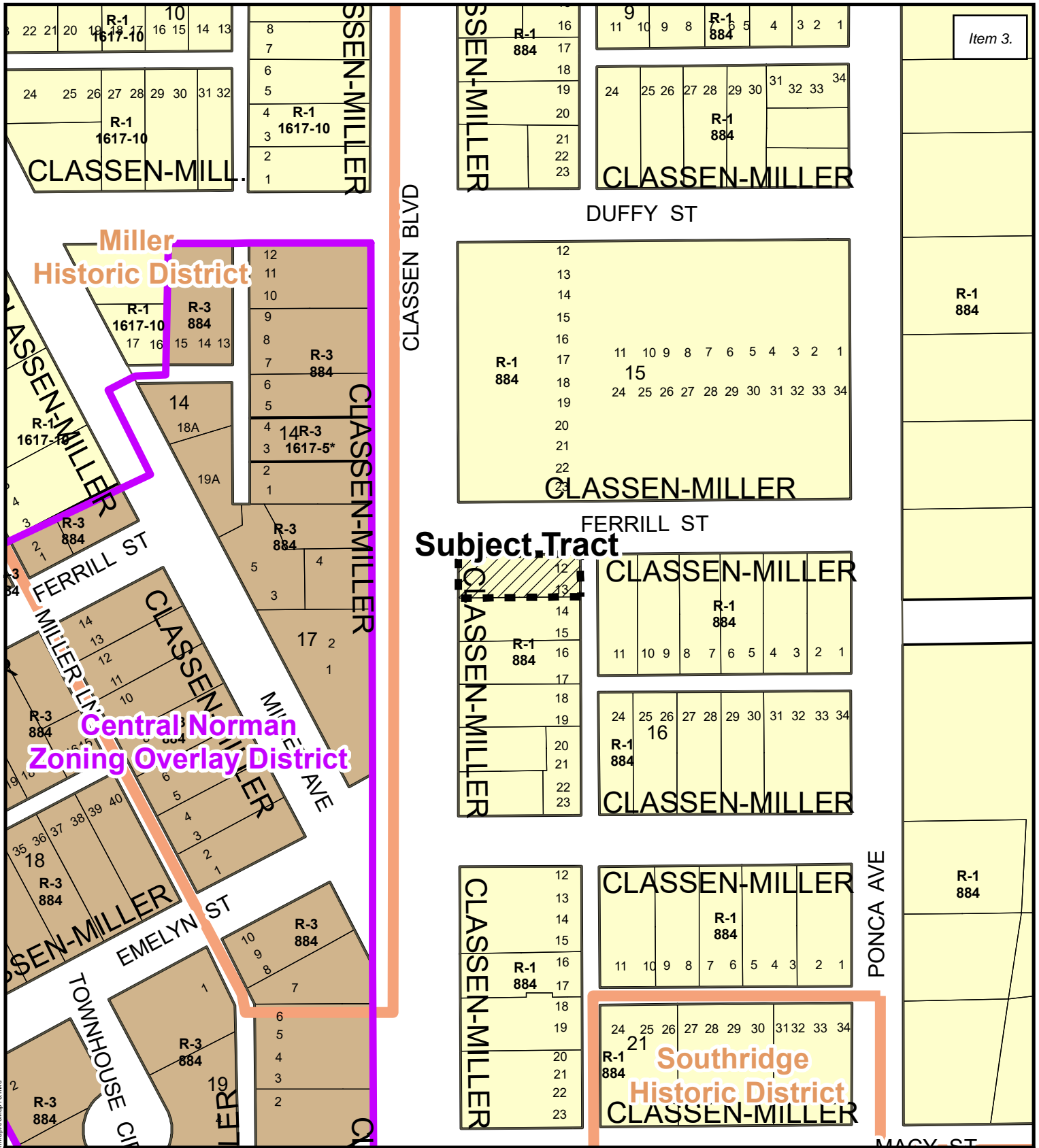


- (a) That special conditions and circumstances exist that are peculiar to the land, structure, or building involved and are not applicable to other lands, structures, or buildings in the same district;
- (b) That the literal interpretation of the provisions of this ordinance would deprive the applicant 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.

**DISCUSSION:** The previous home on the subject property was constructed in 1930 with a 0' north side yard setback and an approach off of Ferrill St. The proposed single-family home would sit at a 10' north side yard setback and remove the approach off of Ferrill St. The approach will be moved to provide access off of the rear alley. As the subject property is not backing up to another corner lot, with setbacks taken into account, this leaves 25' of width left for the owner to construct a new home out of the total 50' of width.

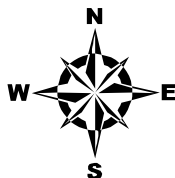
**CONCLUSION:** Staff forwards this request for a variance and BOA-2425-05 to the Board of Adjustment for consideration.



# 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.



September 5, 2024

0 75 150 Ft.



Subject Tract



Zoning



Application for Variance or Special Exception  
**BOARD OF ADJUSTMENT**

Item 3.

Case No. BOA \_\_\_\_\_

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

<b>APPLICANT(S)</b> Elizabeth Greenhaw 3112 Marigold Trail Norman, OK 73072	<b>ADDRESS OF APPLICANT</b>  
<b>NAME AND PHONE NUMBER OF CONTACT PERSON(S)</b> Elizabeth Greenhaw 405-249-1948	<b>EMAIL ADDRESS</b> elgreenhaw@yahoo.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)

Classen Miller Lots 12 and 13 BLK 16

**Requests Hearing for:**

- ☒ VARIANCE from Chapter \_\_\_\_\_, Section \_\_\_\_\_
- ☐ SPECIAL EXCEPTION to \_\_\_\_\_

**Detailed Justification for above request** (refer to attached Review Procedures and justify request according to classification and essential requirements therefor). For any variance, the "Detailed Justification of Variance Request" form must be completed and attached:

20' side yard set back 36-514, the build we are proposing is encroaching this by 10'. The original build that was demolished also encroached this set back

**SIGNATURE OF PROPERTY OWNER(S):**

Elizabeth Greenhaw

**ADDRESS AND TELEPHONE:**

3112 Marigold Trail  
 Norman OK 73072  
 405-249-1948

OFFICE  
USE  
ONLY

- ☐ Application & Detailed Justification Form
- ☐ 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

Item 3.

Case No. BOA \_\_\_\_\_

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

DATE: 9-3-24

I, Elizabeth Greenhaw, 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:

1001 Classen Blvd. Norman OK 73071

(Classen Miller Lots 12 + 13 BLK 16)

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

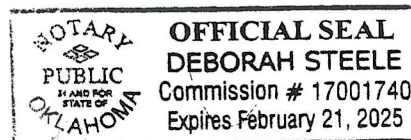
AND, I accept billing for the cost of publishing legal notice in the NORMAN TRANSCRIPT.

Owner's Signature: Elizabeth Greenhaw  
 Address: 3112 Mainfold Trail 73072  
 Agent's Signature: [Signature]  
 Address: 535 S. Park and  
Norman OK 73069

## NOTARY

Before me, the undersigned, a Notary Public in and for the State of Oklahoma, on this 3 day of Sept., 2024, personally appeared Elizabeth Greenhaw, 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:

Deborah Steele  
 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





# BOARD OF ADJUSTMENT

## DETAILED JUSTIFICATION OF VARIANCE REQUEST

Item 3.

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

Revised 08/23

Please attach additional sheets, as necessary.

Special conditions or 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:

The original existing house encroached the 20' side yard set back.

Attest  
JS *[Signature]*

The literal interpretation of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district:

20' set back takes around 1/3 of the property.

Attest  
JS *[Signature]*

The special conditions or circumstances do not result from the actions of the applicant:

The 50' lot width and 20' side yard set back were a pre-existing circumstance

Attest  
JS *[Signature]*

Granting of the Variances requested will not confer on the applicant any special privilege that is denied to other lands, structures, or buildings in the same district:

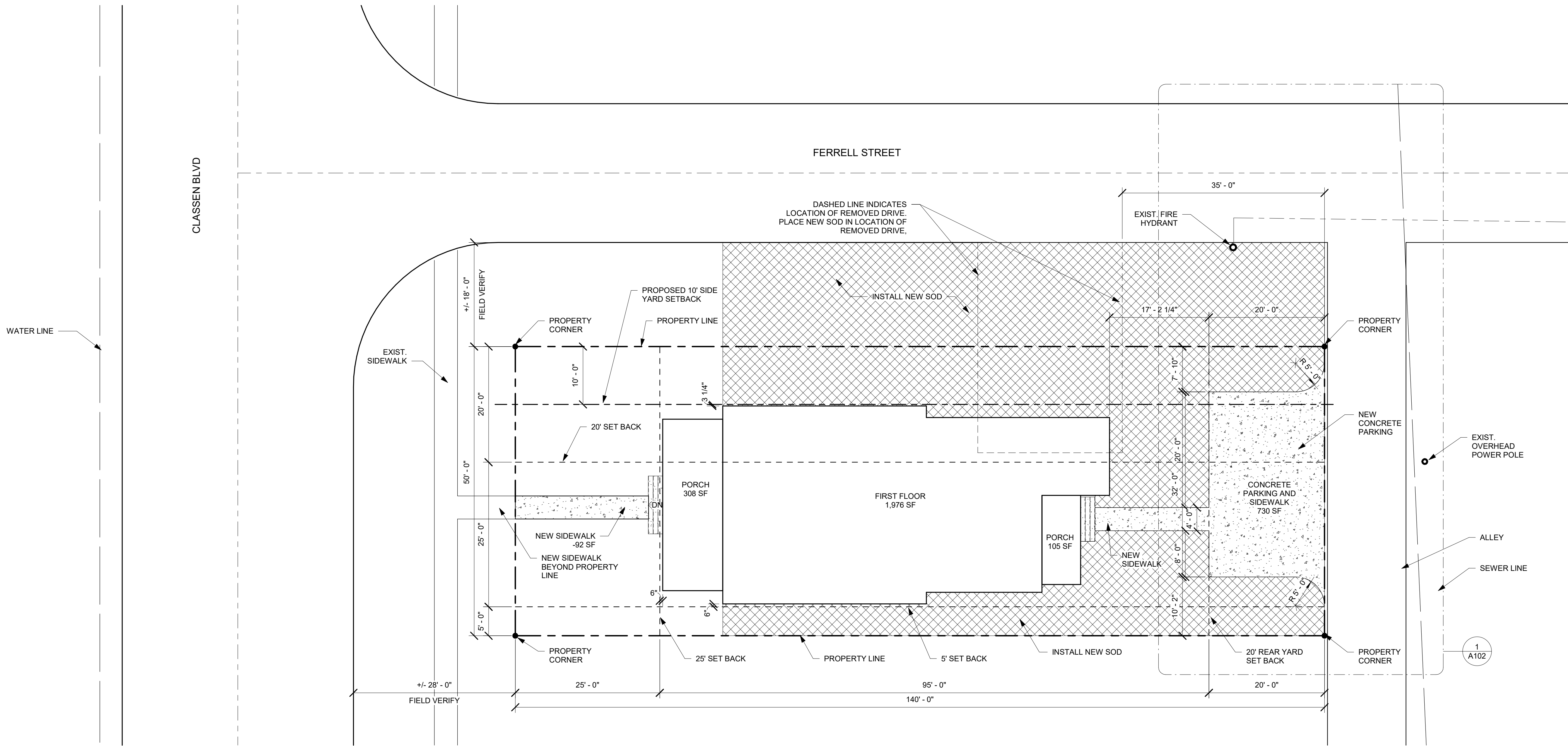
No. Other people may apply for a similar variance.

Attest  
JS *[Signature]*

GROSS SQUARE FOOTAGE (VENEER):	1,976 SF
LIVABLE SQUARE FOOTAGE (1ST AND 2ND FLOOR):	2,533 SF
UNDER ROOF SQUARE FOOTAGE:	2,598 SF
CONCRETE FRONT PORCH:	308SF
CONCRETE REAR PORCH:	105 SF
PARKING AND SIDEWALKS:	822 SF

LEGAL DESCRIPTION CLASSEN MILLER LOT 12 AND 13, BLOCK 16 NORMAN, OKLAHOMA
ZONING R-1 SINGLE FAMILY RESIDENTIAL
LOT SIZE: 7,000 SF ALLOWABLE BUILDING COVERAGE: 40% ALLOWABLE BUILDING AREA: 2,800 SF
ACTUAL BUILDING COVERAGE: NEW STRUCTURE: 1,976 SF TOTAL BUILDING COVERAGE: 1,976 SF
LOT SIZE: 7,000 SF ALLOWABLE IMPERVIOUS AREA: 65% ALLOWABLE IMPERVIOUS AREA: 4,550 SF
ACTUAL IMPERVIOUS AREA: NEW STRUCTURE: 1,976 SF CONCRETE PAVING: 822 SF TOTAL BUILDING COVERAGE: 2,798 SF

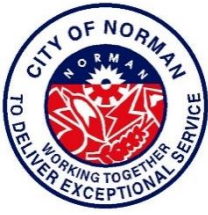
CLASSEN RESIDENCE  
NORMAN OK



1 SITE PLAN  
SCALE: 1" = 10'-0"

PROJECT NUMBER Project Number
ISSUE DATE 09-11-2024
REVISION DATES
SHEET TITLE SITE PLAN
SHEET NUMBER A101

THIS SHEET IS NOT TO BE USED FOR CONSTRUCTION UNLESS THE ISSUE DATE APPEARS ON THE TITLE SHEET. COPYRIGHT



## CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 9/25/2024

**REQUESTER:** Brittani Beaver & Michael Serna

**PRESENTER:** Justin Fish, Planner I

**ITEM TITLE:** CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2425-06: BRITTANI BEAVER AND MICHAEL SERNA REQUEST A VARIANCE TO 36-514(c)(1)(a) OF 5' TO THE 25' FRONT YARD SETBACK FOR A NEW HOUSE IN THE CHAUTAUQUA HISTORIC DISTRICT FOR PROPERTY LOCATED AT 505 CHAUTAUQUA AVENUE.

<b>APPLICANT</b>	Brittani Beaver & Michael Serna
<b>LOCATION</b>	505 Chautauqua Ave
<b>ZONING</b>	R-1, Single-Family Dwelling District
<b>REQUESTED ACTION</b>	Variance to 36-514(c)(1)(a) of 5' to the required 25' front yard setback for the construction of a new home in the Chautauqua Historic District.
<b>SUPPORTING DATA</b>	Location Map Application with attachments Site Plan

**SYNOPSIS:** The applicant is seeking the approval of a variance for the construction of a home in the Chautauqua Historic District. The applicant wishes to construct the home 20' from the front property line to bring it in line with the historic homes on the street. The variance being requested is as follows:

1. A variance of 5' to the required 25' front yard setback.

The application, site plan, and the variance justification 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.

**DISCUSSION:** The applicant wishes to align the new structure with the adjacent houses, which have 20' setbacks instead of the required 25' front setback typically required in the R-1 zoning district. The Historic Preservation Guidelines state that new dwellings should be compatible with the existing setbacks found in the Historic District. At the September 9, 2024 Historic District Commission meeting, the proposed site plan and elevation drawings for the new home were approved contingent upon the Board of Adjustment review and approval of the 20' front setback.

**CONCLUSION:** Staff forwards this request for a variance and BOA-2425-06 to the Board of Adjustment for consideration.







Application for Variance or Special Exception  
**BOARD OF ADJUSTMENT**

Case No. BOA \_\_\_\_\_

Item 4.

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

<b>APPLICANT(S)</b> Brittani Beaver	<b>ADDRESS OF APPLICANT</b> 505 Chautauqua Ave, Norman, OK 73069
<b>NAME AND PHONE NUMBER OF CONTACT PERSON(S)</b> Owen Love; Sound Builds; (405) 880-5449	<b>EMAIL ADDRESS</b> owen@builditsound.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)

WEST UNIV LOTS 13-14 & N10' OF LOT 15 BLK 1

**Requests Hearing for:**

- ☒ VARIANCE from Chapter 36, Section 514 (c)(1)(a)  
☐ SPECIAL EXCEPTION to \_\_\_\_\_

**Detailed Justification for above request** (refer to attached Review Procedures and justify request according to classification and essential requirements therefor). For any variance, the "Detailed Justification of Variance Request" form must be completed and attached:

We are requesting a variance of 5' from the West (front) setback on the property in order to be able to build a new residence in line with it's North and South neighbors in the historic Chautauqua district. The Detailed Justification of Variance Request form has further details.

SIGNATURE OF PROPERTY OWNER(S):

Brittani Beaver

ADDRESS AND TELEPHONE:

505 Chautauqua Ave, Norman, OK 73069

(918) 808-5918

OFFICE ONLY

- ☐ Application & Detailed Justification Form  
☐ 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 \_\_\_\_\_

Item 4.

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

DATE: 9/3/24

I, Brittani Beaver, 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:

505 Chautauqua Ave, Norman, OK 73069

WEST UNIV LOTS 13-14 & N10` OF LOT 15 BLK 1

**SEE PROVIDED JOINT TENNANCY DEED**

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: Brittani Beaver

Address: 505 Chautauqua, Norman, OK 73069

Agent's Signature: Owen Love

Address: 3101 Venice Ct, Norman, OK 73071

**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

# Signature Certificate

Reference number: ZTPZC-XUF2Q-ADGU9-LWSOK

Signer	Timestamp	Signature
<b>Brittani Beaver</b> Email: brittani.beaver@ou.edu  Sent: 03 Sep 2024 20:34:04 UTC Viewed: 03 Sep 2024 21:32:59 UTC Signed: 03 Sep 2024 21:34:18 UTC  <b>Recipient Verification:</b> ✓ Email verified 03 Sep 2024 21:32:59 UTC		  IP address: 166.198.28.37 Location: San Antonio, United States
<b>Owen Love</b> Email: owen@builditsound.com  Sent: 03 Sep 2024 20:34:04 UTC Viewed: 04 Sep 2024 04:11:35 UTC Signed: 04 Sep 2024 04:11:54 UTC  <b>Recipient Verification:</b> ✓ Email verified 04 Sep 2024 04:11:35 UTC		  IP address: 75.224.107.253 Location: Oklahoma City, United States

Document completed by all parties on:

04 Sep 2024 04:11:54 UTC

Page 1 of 1



Signed with PandaDoc

PandaDoc is a document workflow and certified eSignature solution trusted by 50,000+ companies worldwide.





# BOARD OF ADJUSTMENT

## DETAILED JUSTIFICATION OF VARIANCE REQUEST

Item 4.

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

Revised 08/23

Please attach additional sheets, as necessary.

Special conditions or 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:

The current code calls for a minimum 25' front set back. The proposed set back will allow Sound to build in line with the surrounding homes on the street. This home is being built in the Chautauqua historic district.

Attest

*Owen Love*

The literal interpretation of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district:

Set backs outline in the Ordinance will place the home further back than the surrounding homes on the street making it look out of place. Considering this will be a new home surrounded by historic homes, using a 25' set back would result in an even further anachronism.

Attest

*Owen Love*

The special conditions or circumstances do not result from the actions of the applicant:

Brittani Beaver and Michael A Serna purchased the lot with its current plat dimensions on May 23<sup>rd</sup>, 2024. The original deed shows the lot has been platted this way as far back as 1915. The original home was destroyed in a fire over 50 years ago; the only remaining structure is a dilapidated garage that we will be requesting permission to demolish.

Attest

*Owen Love*

Granting of the Variances requested will not confer on the applicant any special privilege that is denied to other lands, structures, or buildings in the same district:

The granting of the variance requested will allow Sound to build a new home that will align with the existing homes on the street. This will be a deviation from the city zoning code, however, an exception should be made to accommodate for the existing setbacks of the homes surrounding the new build.

Attest

*Owen Love*

