



CITY OF NORMAN, OK BOARD OF ADJUSTMENT MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Wednesday, January 28, 2026 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 call 405-366-5424, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.

ROLL CALL

1. ELECTION OF OFFICERS FOR 2026

MINUTES

2. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MINUTES AS FOLLOWS:

BOARD OF ADJUSTMENT MEETING MINUTES OF OCTOBER 22, 2025.

BOARD OF ADJUSTMENT SPECIAL MEETING MINUTES OF NOVEMBER 05, 2025.

BOARD OF ADJUSTMENT SPECIAL MEETING MINUTES OF DECEMBER 10, 2025.

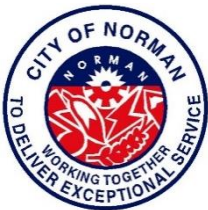
DISCUSSION ITEMS

3. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-11: GLENN & SHEILA BURNETT APPEALS THE DENIAL OF FLOODPLAIN PERMIT APPLICATION NO. 735 FOR THE REMOVAL OF STRUCTURES AND THE CONSTRUCTION OF A NEW RESIDENTIAL STRUCTURE LOCATED AT 216 S. LAHOMA AVENUE IN THE IMHOFF CREEK FLOODPLAIN.
4. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-10: STEVE & MELISSA BURGAN REQUEST A VARIANCE TO SECTION 36-514(C)(3) OF 6'6" TO THE REQUIRED 20' REAR YARD SETBACK FOR THE PROPERTY LOCATED AT 433 THORTON DRIVE.

5. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-9: BRAD ASHFORD REQUESTS A VARIANCE TO SECTION 36-514(D)(2) TO ALLOW AN ACCESSORY BUILDING WHICH EXCEEDS THE HEIGHT OF THE PRINCIPAL BUILDING BY 6 FEET FOR THE PROPERTY LOCATED AT 2640 OSBORNE DRIVE.
6. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF: A RATIFICATION OF THE DECEMBER 10, 2025 BOARD OF ADJUSTMENT VOTE APPROVING A VARIANCE TO SECTION 36-513(D)(1)(A) OF 28' TO THE REQUIRED 50' FRONT YARD SETBACK FOR THE PROPERTY LOCATED AT 7338 BRENDA (BERENDA) CIRCLE.

MISCELLANEOUS COMMENTS

ADJOURNMENT



CITY OF NORMAN, OK
BOARD OF ADJUSTMENT MEETING
Development Center, Room A, 225 N. Webster Ave., Norman, OK 73069
Wednesday, October 22, 2025 at 4:30 PM

MINUTES

The Board of Adjustment of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in Conference Room A at the Development Center, on Wednesday, October 22, 2025 at 4:30 PM. Notice of the agenda of the meeting was posted at the Development Center at 225 N. Webster Ave, the Norman Municipal Building at 201 West Gray, and on the City website at least 24 hours prior to the beginning of the meeting.

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

ROLL CALL

BOARD MEMBERS PRESENT

Curtis McCarty
Brad Worster
Micky Webb
Ben Bigelow
James Howard
Eric Williams
Matt Graves

STAFF PRESENT

Lora Hoggatt, Planning Services Manager
Justin Fish, Planner I
AshLynn Wilkerson, Assistant City Attorney I
Laci Witcher, Permit Technician
Amy Woolington, Permit Technician

GUESTS PRESENT

Colton Wayman, Wallace Design Collective, 410 N. Walnut Avenue

MINUTES

1. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MINUTES AS FOLLOWS:

BOARD OF ADJUSTMENT MEETING MINUTES OF SEPTEMBER 24, 2025.

Motion by Mr. Worster to approve the minutes of September 24, 2025, Board of Adjustment regular meeting; **Second** by Mr. Bigelow.

The motion passed with a vote of 6-0. Mr. Webb abstained.

VARIANCE REQUESTS

2. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-5: DP GAMBLE HOMES REQUESTS A VARIANCE TO SECTION 36-514(C)(1)(A) OF 7'1" TO THE REQUIRED 25' FRONT YARD SETBACK, AND A VARIANCE TO SECTION 36-514(C)(2)(C) OF 5" TO THE REQUIRED 20' OF DISTANCE BETWEEN A GARAGE WHICH FACES A STREET TO FRONT PROPERTY LINE FOR THE PROPERTY LOCATED AT 1817 INGLENOK DRIVE.

The applicant has withdrawn this request.

Motion by Mr. Bigelow to approve the withdrawal; **Second** by Mr. Graves.

The motion passed with a vote of 7-0.

3. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-6: ALPHA PHI SORORITY REQUESTS A VARIANCE TO SECTION 36-551(B)(2)(B) OF 10' TO THE REQUIRED 20' LANDSCAPING STRIP AND THE REQUIRED THREE-FOOT TO FOUR-FOOT MASONRY OR ROCK WALL FOR THE PROPERTY LOCATED AT 1401 COLLEGE AVENUE.

Staff Presentation

Justin Fish, Planner I, presented the staff report.

Mr. McCarty asked Mr. Fish to outline the options provided for the applicant to meet the City's requirements.

Mr. Fish proposed narrowing the angled parking aisle to 12 feet to allow expansion of the landscape buffer, relocating parking to the north side of the lot, or pursuing a SPUD to allow a 10-foot variance without requiring a masonry wall.

Mr. Worster confirmed the issue stems from adjacent R-3 zoning and asked if a landscaping strip and a rock wall were required. Mr. Fish said only the landscaping strip is needed, however, adding a 3-to-4-foot masonry wall would allow a smaller strip without a variance.

Mr. Williams asked if a detention pond was located to the north. Mr. Fish deferred to the applicant, and Mr. Wayman confirmed it was a retention pond, not a detention pond.

Mr. McCarty asked for input from the legal department.

Ms. Wilkerson had no additional comments but said she would be happy to answer questions.

Applicant Presentation

Colton Wayman of Wallace Design presented the proposed project for an interior remodel and site improvements, including a new parking lot. Mr. Wayman said the change is needed for safe vehicle traffic flow and to meet the City's 84 parking space requirements. Mr. Wayman further

stated due to an underground electric easement, a masonry wall is not feasible, and the design aligns with nearby properties.

Mr. McCarty confirmed the project primarily involves interior work with no exterior expansion. Mr. Wayman added the circular drive would be modified and minor building alterations made to meet code requirements.

Mr. McCarty asked about current occupancy. Mr. Wayman stated the facility has 84 beds, likely full, with no plans to expand. Mr. Wayman further stated the primary goal is to bring parking up to code.

Mr. McCarty asked if the 84 parking spaces included ADA spaces. Mr. Wayman said none currently exist and new ADA compliant spaces would be added. When asked about shifting the site north to avoid the east side, he explained it would be impractical, increase impervious surface, and be difficult to implement. Mr. Wayman was unsure of the current pervious area.

Mr. McCarty asked how the City's proposed drive angle changes would affect the site. Mr. Wayman responded they reviewed the parking configuration and concluded it would not help achieve the 20-foot buffer from the property line.

Mr. McCarty asked whether OG&E had been consulted about installing a masonry wall. Mr. Wayman confirmed they had been contacted and noted that doing so would require digging up existing lines and possibly installing conduit. Mr. McCarty asked if OG&E would allow them to pave over the connection to the house. Mr. Wayman responded yes.

Mr. Bigelow stated while this was possible it would be costly. Mr. Wayman responded and warned there is a chance this may not be allowed. Mr. Bigelow noted OG&E had previously approved paving with conduit or relocation, but Mr. Wayman clarified discussions are ongoing with OG&E and approval is not guaranteed.

Mr. Worster asked if the existing parking lot had been reconfigured. Mr. Wayman replied it had been considered but it was not within the client's preferred range.

Mr. Williams questioned the City's parking ordinance, thinking it was canceled. Mr. Wayman clarified non-residential properties no longer have parking requirements. Ms. Hoggatt added that single-family and two-family homes require two spaces per unit, and fraternity/sorority houses require one space per accommodation.

Mr. Worster asked if the lines inside the easement were located. Mr. Wayman confirmed a private locate was completed and referred to the site plan for spacing and proximity to the house. Mr. Williams noted there were 84 beds but not 84 parking spaces. Mr. Wayman responded it was an old development, and a non-conforming use at this point.

Mr. McCarty asked about shifting parking, moving the retention area into the landscape zone, and using part of the buffer for retention. Mr. Wayman said the easement is likely the main constraint.

Mr. McCarty noted the easement is already within the landscape buffer and suggested angling the first part of the car therefore parking toward the northeast corner. Mr. Williams added the north side drive on the east could remain but be moved closer to the building.

Mr. Wayman said the retention area is best where it is due to the grade change. Mr. McCarty asked about adding parking in the circular drive. Mr. Wayman confirmed it is planned, estimating around eight spaces.

Mr. McCarty asked how many parking spaces were offered without the circular drive. Mr. Wayman said they were short 16 parking spaces. Mr. McCarty confirmed 13 parking spaces would be added in the back, including the circle drive. Mr. Wayman agreed.

Mr. Williams noted the survey shows 79 existing spaces.

Mr. Wayman noted new ADA spaces and reconfiguration, including stairs on the building's south side, will reduce existing parking spaces. Mr. McCarty confirmed he observed the ADA spaces that would be lost.

Mr. Wayman stated the existing parking lot striping will be modified.

Mr. Bigelow asked about the proposed number of parking spaces. Mr. Wayman said 84 parking spaces will meet the requirements for 84 beds.

Mr. Worster stated 87 parking spaces, excluding the circle drive. Mr. Wayman agreed and mentioned the site plan might be outdated.

Board of Adjustment Discussion

Mr. McCarty stated any approval, or denial should be based on the information presented by the applicant.

Mr. Wayman asked if the site plan is binding. Mr. Worster stated it absolutely is binding.

Mr. McCarty suggested postponing the item to gather more information, including showing parking spaces in the circular driveway for a total count or exploring alternatives without granting the adjustment.

Mr. Wayman asked whether it would be worthwhile to return to the Board of Adjustment in the future with the same proposal.

Mr. McCarty agreed, stating additional details such as parking counts, pervious surface data, an OG&E letter, and a revised site plan would help the Board evaluate the proposal more effectively. He also suggested enlarging the circular drive to add parking if impervious surface limits allow.

Ms. Hoggatt informed the applicant the next meeting would be on December 3, 2025.

Mr. Wayman requested postponement to the December 3, 2025 meeting.

Ms. Hoggatt clarified that decreasing aisle and space widths may not achieve the 20-foot buffer but would reduce the variance needed.

Mr. Bigelow asked why it was important for the staff report to note that the easements had been granted.

Ms. Hoggatt explained noting the easement relates to the variance criteria requiring special conditions, not resulting from the applicant's actions. In this case, the easement arose from the applicant granting the easement.

Motion by Mr. Webb to postpone BOA-2526-6 to December 3, 2025 Board of Adjustment meeting; **Second** by Mr. Graves.

The motion passed unanimously with a vote of 7-0.

Public Comments

There were no public comments.

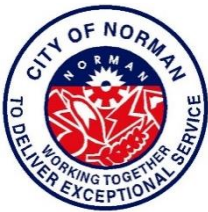
MISCELLANEOUS COMMENTS

Ms. Hoggatt reminded the Board about the Special Meeting scheduled for November 5, 2025. She explained the meeting was necessary due to advertising issues and revised figures from a survey that required re-advertising. She also thanked the Board members for agreeing to attend the additional meeting.

ADJOURNMENT

The meeting was adjourned at 5:04 p.m.

Passed and approved this _____ day of _____ 2026.



CITY OF NORMAN, OK BOARD OF ADJUSTMENT MEETING - SPECIAL MEETING

Development Center, Room A, 225 N. Webster Ave., Norman, OK 73069
Wednesday, November 05, 2025 at 4:30 PM

MINUTES

The Board of Adjustment of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in Conference Room A at the Development Center, on Wednesday, November 05, 2025 at 4:30 PM. Notice of the agenda of the meeting was posted at the Development Center at 225 N. Webster Ave, the Norman Municipal Building at 201 West Gray, and on the City website at least 24 hours prior to the beginning of the meeting.

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

ROLL CALL

BOARD MEMBERS PRESENT

Curtis McCarty
Micky Webb
Ben Bigelow
James Howard
Matt Graves

BOARD MEMBERS ABSENT

Brad Worster
Eric Williams

STAFF PRESENT

Jane Hudson, Planning & Community Development Director
Lora Hoggatt, Planning Services Manager
Justin Fish, Planner I
Laci Witcher, Permit Technician
Beth Muckala, Assistant City Attorney III
Logan Gray, Planner II

GUESTS PRESENT

Danny Gamble
Michael Brown
Cody Fuller
Rita Owen
Paul Owen

VARIANCE REQUESTS

1. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-5: DP GAMBLE HOMES REQUESTS A VARIANCE TO SECTION 36-514(C)(1)(A) OF 8' TO THE REQUIRED 25' FRONT YARD SETBACK, AND A VARIANCE TO SECTION 36-514(C)(2)(C) OF 3' TO THE REQUIRED 20' OF DISTANCE BETWEEN A GARAGE WHICH FACES A STREET TO FRONT PROPERTY LINE FOR THE PROPERTY LOCATED AT 1817 INGLENOK DRIVE.

Staff Presentation

Justin Fish, Planner I, presented the staff report.

Mr. Webb asked Mr. Fish whether staff recommended denial of the item, and Mr. Fish confirmed yes.

Mr. Bigelow asked when during construction staff discovered the house had exceeded the setbacks.

Mr. Fish stated following a driveway inspection on September 11, 2025, City staff notified the applicant the driveway did not meet required length, and the house was too close to the property line.

Mr. Bigelow asked if the house was nearly complete, and Mr. Fish confirmed it was.

Beth Muckala, Assistant City Attorney III, outlined the variance criteria for the Board.

Applicant Presentation

Danny Gamble, the applicant, acknowledged the mistake of the proposed variance, explaining it was unintentional and made without any malicious intent. He added that neighbors had been notified twice with no complaints, and the home buyers also had no concerns.

Mr. McCarty inquired about the City's sidewalk requirements, and Mr. Gamble responded he and Miles Cotten, City Construction Inspector, had already discussed and resolved the details.

Mr. Howard questioned why the property was not being rezoned, noting it was an available option. Mr. Gamble explained he believed seeking a variance was the most appropriate option at the time.

Mr. Howard asked for details regarding the specific mistake and how similar issues would be prevented in the future.

Mr. Gamble responded in the future he will have a surveyor set the house's corner pins and recheck them after the stem wall is constructed before proceeding further with construction.

Mr. Howard emphasized the need for caution in such situations to avoid mischaracterizing actions as mistakes when observed by other contractors. He also noted he did not believe this incident was intentional.

Mr. Gamble acknowledged his mistake, stating he believed this was a reasonable variance request, and assured the Board it would not happen again.

Mr. Howard inquired about how rezoning would impact himself and the client.

Mr. Gamble responded the delay in the rezoning process was the reason.

Mr. Graves suggested it would be appropriate to approve the variance based on the mistake rather than pursuing rezoning.

Mr. McCarty asked staff whether rezoning a single lot to a PUD or SPUD was an option within a residential R-1 neighborhood.

Ms. Muckala responded yes, while it is not a typical process, it can be done.

Mr. McCarty and Ms. Muckala discussed the legal requirements for establishing a PUD and SPUD.

Mr. McCarty asked Mr. Gamble whether his foundation contractor reported any problems with the house fitting properly. Mr. Gamble replied no issues were mentioned and he was told everything was fine.

Mr. McCarty advised Mr. Gamble to include additional measurements on future site plans to help avoid similar issues.

Mr. Gamble said he has always avoided mistakes in the past and assured the Board that no one would intentionally create such a situation.

Mr. McCarty asked what their plan was for the retaining wall.

Mr. Gambled stated the project is proceeding as planned, but construction was halted after the setback issue was discovered, and work will not continue until the issue is resolved.

Mr. McCarty inquired about the stage of construction, and Mr. Gamble replied interior carpentry is in progress while exterior masonry is complete.

Mr. McCarty asked whether curving the sidewalk would help prevent blockage, and Mr. Gamble confirmed this was their intended plan.

Mr. Bigelow expressed appreciation to the applicant for acknowledging his mistake but noted concern that approving the variance could set a precedent affecting future development.

Mr. McCarty asked Ms. Muckala whether the situation would establish a legal precedent. She replied each case is evaluated individually and does not automatically create precedent.

Public Comments

Rita Owen, the prospective homebuyer, noted a creek runs behind and alongside the property, meaning any future development would require a bridge. She asked the Board to take this into consideration before their final vote.

Mr. Howard asked Ms. Owen how she would feel if a neighbor built over the property line next door. Ms. Owen said it would not bother her, noting many older homes don't meet the code.

Board of Adjustment Discussion

Mr. Howard noted the house will outlast its current buyers and urged the Board not to let questions about the buyers current vehicles influence their decision. He also mentioned the vehicle issue could be mitigated through alternatives, such as street parking.

Mr. Graves stated tearing the house down is not ideal as it would be costly and delay the homebuyer moving in. Mr. Graves added since this case will not set a precedent, granting the variance would not permit future homeowners to expand and encroach on property lines.

Ms. Muckala clarified the difference between zoning and plats, noting some comments had used the term "plats" incorrectly. She emphasized the alternative option would be to rezone, not replat.

Mr. McCarty acknowledged the situation is difficult and believes preventive steps could have been taken. He recommended curving the sidewalks as it was noted the City would allow it. While he doesn't want such cases to be routine, he believes this is the purpose of Board of Adjustment.

Mr. Bigelow, drawing on his experience as a former builder who had been shown leniency by the City after a mistake, expressed the same grace should be applied in granting this variance.

Motion by Mr. Bigelow to approve BOA-2526-5; **Second** by Mr. Graves.

The motion passed with a vote of 4-1. Mr. Webb voting against.

MISCELLANEOUS COMMENTS

Mr. McCarty announced there will be no Board of Adjustment meeting in December 2025.

Mr. Webb told the Board he enjoyed his time serving but noted this was his final meeting and he would not be returning.

Mr. McCarty thanked Mr. Webb for his service on the Board, expressing appreciation for his contributions.

ADJOURNMENT

The meeting was adjourned at 5:20 p.m.

Passed and approved this _____ day of _____ 2026.



CITY OF NORMAN, OK BOARD OF ADJUSTMENT MEETING - SPECIAL MEETING

Development Center, Room A, 225 N. Webster Ave., Norman, OK 73069
Wednesday, December 10, 2025 at 4:30 PM

MINUTES

The Board of Adjustment of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session in Conference Room A at the Development Center, on Wednesday, December 10, 2025 at 4:30 PM. Notice of the agenda of the meeting was posted at the Development Center at 225 N. Webster Ave, the Norman Municipal Building at 201 West Gray, and on the City website at least 48 hours prior to the beginning of the meeting.

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

ROLL CALL

BOARD MEMBERS PRESENT

Curtis McCarty
Ben Bigelow
Brad Worster
Eric Williams
Matt Graves

BOARD MEMBERS ABSENT

James Howard

STAFF PRESENT

Jane Hudson, Planning & Community Development Director
Lora Hoggatt, Planning Services Manager
Laci Witcher, Permit Technician
Beth Muckala, Assistant City Attorney III
Whitney Kline, Admin Tech IV
Bailey LaChance, Admin Tech III

GUESTS PRESENT

Jim West, 1203 Brookhaven Blvd., Norman, OK
Zach Stevens, no address specified
Allison Basden, 7338 Brenda Circle, Norman, OK
Lawrence Basden Jr., 7338 Brenda Circle, Norman, OK

DISCUSSION ITEMS

1. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-7: ALLISON BASDEN & LAWRENCE BASDEN JR. REQUESTS A VARIANCE TO SECTION 36-513(D)(1)(A) OF 2.85' TO THE REQUIRED 50' FRONT YARD SETBACK FOR THE PROPERTY LOCATED AT 7338 BRENDA (BERENDA) CIRCLE.

Staff Presentation

Jane Hudson, Planning & Community Development Director, presented the staff report.

Mr. McCarty asked whether increasing the measurement to 28 feet instead of 27.85 feet would be acceptable to avoid any potential issues if the property ever needs to be surveyed again.

Ms. Hudson responded the amendment is allowed.

Beth Muckala, Assistant City Attorney III, outlined the variance criteria for the Board.

Public Discussion

Zach Stevens, representing the buyer, asked if this variance would permit rebuilding in the same location should there ever be a natural disaster or unfortunate event destroy the house.

Ms. Muckala explained unless a condition ties the variance specifically to the current structure, it would continue to apply to the property.

Board of Adjustment Discussion

Mr. Worster stated he believed using an even 28 feet is the better choice moving forward.

Motion made by Chairman McCarty, **Seconded** by Secretary Worster.

BOA-2526-7 for an amended variance of 28 feet to the required front setback pursuant to 36-513(D)(1)(A), a condition upon corrected noticing and ratification vote at the next regular Board of Adjustment Meeting was approved.

Voting Yea: Chairman McCarty, Board Member Bigelow, Secretary Worster, Board Member Williams, Board Member Graves

MISCELLANEOUS COMMENTS

Mr. McCarty informed the Board beginning in January, all meetings will take place in the Council Chambers.

Ms. Hudson thanked the Board for holding the Special Meeting.

ADJOURNMENT

The meeting was adjourned at 4:45 p.m.

Passed and approved this _____ day of _____ 2026.

Secretary, Board of Adjustment



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 01/21/2026

REQUESTER: Glenn Burnett, Sheila Burnett, and Charles Burnett

PRESENTER: Elisabeth Muckala, Asst. City Attorney

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-11: GLENN & SHEILA BURNETT APPEALS THE DENIAL OF FLOODPLAIN PERMIT APPLICATION NO. 735 FOR THE REMOVAL OF STRUCTURES AND THE CONSTRUCTION OF A NEW RESIDENTIAL STRUCTURE LOCATED AT 216 S. LAHOMA AVENUE IN THE IMHOFF CREEK FLOODPLAIN.

BACKGROUND:

This application concerns property located at 216 S. Lahoma Avenue in the Imhoff Creek floodplain ("Property"). Records available with the Cleveland County Clerk confirm that this property was owned of record by Glenn, Sheila and Charles Burnett (hereafter "Burnetts" or "Applicants") effective November 3, 2022. A history of the events leading to this administrative appeal are outlined in detail in the 12/1/25 Floodplain Permit Request No. 735 Staff Report ("FP Report," attached hereto and incorporated fully by reference). A summary of the background is as follows:

In May of 2023, Applicants were denied a permit for improvements based on City Staff's discovery that the substantial improvement threshold had already been met or exceeded for the property, which required floodplain compliance for the existing non-conforming structure. In June 2023, Applicants sought and were granted a permit to elevate the structure, but were later advised by their engineer that elevation was not possible due to the deteriorated state of the current structure. Thereafter, Applicants explored options for demolishing and rebuilding the existing non-conforming structure. Historically, review of applications concerning renovations to existing non-conforming structures in the floodway centered on remediating without increasing the degree of non-conformity in dwelling size or intensity of the lot's use.

Over the course of the following two years, Applicants presented City Staff with multiple proposals that were vetted and responded to by staff, which proposals all included some form or increase in size or intensity of use (additional square footage, additional impervious surface for property storage, additional occupancy capacity of the residential structure). During this period of time, the June 2023 permit expired due to two years of inaction. When Applicants filed their September 2025 request for a new floodplain permit allowing demolition and rebuild, City Staff then became aware that the property had not been used for single-family residential

occupation for longer than the two years set forth in 36-508(a)(3), thus destroying the non-conforming use and requiring full compliance with the Flood Hazard ordinance as a new non-existing structure. Thereafter, Applicants re-submitted a permit request under the new applicable standard.

The applicable standard is set forth in detail in the attached FP Report. However, generally speaking, loss of non-conforming status means that in order to receive a permit, Applicants must establish “no rise” on the lot as if the existing structures were never placed on the lot. Applicants’ request for Floodplain Permit No. 735 was heard by the Floodplain Permit Committee on December 1, 2025 and was denied. A permit denial letter was sent to the Applicants dated December 9, 2025 (included in packet) reiterating applicable standards and referencing reasons for denial. The Applicants submitted this “[a]ppeal of denial of the Floodplain Permit” on December 19, 2025.

The Burnett’s appeal submittals included three alternative requests for relief:

- 1) Reversal of the December 1, 2025 denial of FP Permit Request No. 735; or
- 2) Application of “the non-conforming/substantial-improvement framework”; or
- 3) Direction that “staff . . . process the project through Floodplain review with conditions, rather than deny outright.”

DISCUSSION:

This memorandum provides a discussion of each alternative request, applying and addressing the context of the applicant’s additional assertions outlined in the appeal application submittals.

A. Response to “Background and Facts”

Applicants’ appeal submittals outline “Background and Facts,” including the following: (a) Applicant’s assertion that the existing structures are pre-existing and lawful, and were historically recognized as having non-conforming status; (b) the Property experienced several flood events, prompting correspondence from City Staff advising Applicants of the need for compliance with the Flood Hazard District ordinance respecting any work performed on the structure; (c) Applicants hired an engineer and continuously sought solutions to rebuild; and (d) Applicants propose to remove existing structures and fencing and replace with a residential structure on piers.

Per the attached FP Report, City Staff’s evaluation appears to be in alignment with the facts summarized above. However, Applicants included additional assertions not necessarily supported by the FP Report, namely that: (a) Applicants acted in good faith; (b) Applicants did not “express or demonstrate intent to abandon” the single-family residential use; and (c) Applicant’s proposal is for a new structure compliant with the Flood Hazard District ordinance, and results in equal or reduced obstruction to flood flows and improved floodplain function.

City Staff expressed no opinion regarding whether the Applicants have acted in “good faith.” No express code provision requires a showing of good faith, nor is good faith a consideration or

mitigating factor in how the Flood Hazard District ordinance treats violating structures. Whether Applicants acted in good faith is not relevant to applicable standards; and relates only to the Board of Adjustment's ("BOA's") fact-finder role in evaluating the credibility and reliability of the evidence and information presented by the Applicants during this appeal process.

Next, the FP Report did not address whether subjective "intent to abandon" existed here, for multiple reasons. First, the FP Report did not evaluate the correctness or accurateness of the determination of whether the non-conforming use had expired. That issue simply was not before the FP Permit Committee for decision. Further, that issue is not before the BOA for decision today. The only administrative decision on review is the FP Permit Committee's denial of the requested permit No. 735, per the standards set forth in the Flood Hazard District ordinance. See Attached FP Report. Additionally, City Code does not require subjective intent to abandon for a non-conforming use to be destroyed or lost. Rather, 36-508(a)(3) references only objective "discontinuance for two years." The FP Report established this discontinuance of use.

Finally, the FP Report indicates that City Staff was unable to determine that the Applicant's proposed construction was compliant with the Flood Hazard District ordinance. City Staff noted that Applicant had "credited" the amount of storage attributable to the existing structures against the storage removed from the floodplain by the new proposed structure. However, this approach fails to apply the applicable standard, instead treating the existing violating structures as if they are still legally non-conforming structures. Additionally, City Staff noted a lack of information regarding Applicant's failure to address the removal of the existing violating structures' foundation, a matter which can have an impact upon the floodplain.

B. Request for Reversal of the December 1, 2025 Denial

Applicants' request for reversal does not appear to be supported by the FP Report and the submittals to the FP Permit Committee below. Applicants' request for permit No. 735 applied the incorrect standard and failed to provide necessary information for the FP Permit Committee's consideration. City Staff's observations and recommendations set forth in the FP Report are herein reiterated.

C. Request for Application of the "Non-Conforming" Standard

Applicants have not appealed the determination that the structures' non-conforming status was destroyed per 36-508(a)(3); rather, this appeal concerns only the December 1 permit denial by the FP Permit Committee. Neither the FP Report nor Applicant's appeal submittals establish a legal basis for the BOA to apply a "non-conforming" standard in this appeal proceeding.

D. Request for Staff Direction for Application Processing with Conditional Grant

As written, this request appears to seek a repeated FP Permit process, with instructions to conditionally grant the permit, presumably according to the following alternative recommendation by City Staff set forth in the attached FP Report:

If the Committee approves the application, staff recommends that an Elevation Certificate be required to ensure compliance with the two-foot freeboard requirement of the ordinance. This should include the structure and the electrical and mechanical components.

As the BOA holds the same powers and authority as the FP Permit Committee held on December 1, 2025, this option is equally available to the BOA for consideration.

E. Other Considerations

In subparts B and D of their attached “justification” for this appeal, Applicants address two additional items not currently before the BOA for determination. First, in subpart (b), Applicants appear to argue that demolition of the structure due to flood damage should not result in destruction of non-conforming use. Here, non-conforming use was deemed lost due to two years’ discontinuance of use, which is addressed by a separate part of 36-508. The issue of demolition’s effect on the non-conforming status of the structure is not at issue in this appeal.

Further, in subpart D, Applicants appear to argue compliance with the City’s variance standard. However, the Applicants have not applied for a variance, nor has a variance request been noticed to surrounding property owners in compliance with Norman’s Municipal Code or state law; therefore, the BOA should not consider the variance standard nor grant a variance in this proceeding.

CONCLUSION:

Per City Code, the BOA is vested with the same authority to consider and grant (subject to conditions or otherwise), deny, or even direct the FP Permit Committee’s reconsideration of the December 1 Permit Request No. 735. The issue of existing non-conforming status, and thus application of an alternative standard, is not currently before the BOA, and should not be a basis for decision. The FP Report and its recommendations are forwarded for review and decision by the BOA.

[ATTACHMENT]



STAFF REPORT

12/1/2025

PERMIT NO. 735

ITEM: Floodplain Permit application for removal of structures and the construction of a new residential structure located at 216 S. Lahoma Avenue in the Imhoff Creek floodplain.

APPLICANT: Glenn and Sheila Burnett

ENGINEER: Earl "Gary" Keen, P.E.

ARCHITECT: Krittenbrink Architecture, LLC

BACKGROUND:

The original single-story residence was constructed in 1930 on Lot 6, Block 2 of the Eagleton Addition. The entire parcel, including the structure, lies within the floodplain and floodway of Imhoff Creek, an area with a documented history of repetitive flooding.

According to Section 36-533 (Flood Hazard District) of the Zoning Code, new development within areas designated as floodway must demonstrate a zero (0.00') rise in the base flood elevation. This is typically not achieved, since any increase in volume of material in the non-improved floodway or any significant alteration of the location or number of structures in a floodway is likely to influence the base flood elevation. In addition, the floodway is considered the most significantly hazardous area of any floodplain. Serious risks to life and property are highest in these areas. However, per 36-533(e)(3)(f), existing structures built prior to adoption of Section 36-533 are allowed to remain by because of protections granted by Section 36-508 (Nonconforming Uses) of the Zoning Ordinance, but are expressly subject to the detailed limitations of that ordinance. In the context of properties in the floodplain and floodway, Section 36-508 has historically allowed existing non-conforming structures to remain in place while implementing substantial and further improvements where doing so does not increase the degree of nonconformity.

In June of 2022, City staff evaluated this structure after a flood event that caused water to rise 4-6 inches inside of the house. The owner at that time was advised that he would need to submit costs and apply for a floodplain permit for repairs of that structure. This previous owner never applied for or received floodplain or building permits, but had begun renovations of the residence before selling the property to the current owners. The current owners/applicants purchased the property in November 2022. The City was not aware of the previous renovations or sale of the property at the time.

In May 2023, the applicants submitted a Floodplain Permit application proposing improvements to the existing house. The permit was denied because records indicated the structure had met the substantial damage / substantial improvement threshold, and the application did not include any mitigation measures for a structure regularly inundated by floodwaters that would allow for further improvements. The applicants did not appeal this permit denial.

In June 2023, the applicants applied for and received a Floodplain Permit authorizing elevation of the existing non-conforming structure in order to achieve flood hazard compliance while implementing further improvements per the floodplain ordinance. The

elevation of the existing structure was proposed by the applicant as a mitigating measure for the repetitive flooding, while avoiding any increase of the existing structure's nonconformity that could violate 36-508. However, in July 2023, the structure flooded twice more. City staff sent written notification advising the applicants that it was recommended they mitigate the flood damage to prevent additional damage from rot and mold and reminded applicants that further improvements were not allowed until the elevation and the requirements of the floodplain ordinance were met according to the granted floodplain permit.

The applicant also states that during the summer of 2023, they were advised by their engineer that raising the existing non-conforming structure as previously planned was not feasible. The applicants then began discussing multiple alternatives with City officials. Many scenarios involved complete replacement with a larger, elevated building. Applicants were advised that the floodplain ordinance advised against increasing occupancy capacity in such structures, and reminded applicants of the importance of remaining within the footprint of the existing structure. Over the following two years or so, staff met with the applicant's architect to evaluate options that would not increase the structure's nonconformity and would comply with Section 36-533 (Flood Hazard District).

In September 2025, the applicant submitted a new Floodplain Permit application proposing to demolish and reconstruct the structure within the same footprint, with the same square footage, but also elevated to meet the 2-foot freeboard requirement established by the floodplain ordinance. The application, accepted by City Staff, was perceived as not increasing the degree of the structure's nonconformity. During the review of this application, however, staff confirmed that floodplain permit granted in June of 2023 had expired after more than two years of non-use, which brought to City Staff's attention that more than two years had also lapsed in the property's use and occupation, a lapse resulting in a loss of nonconforming status pursuant to 36-508(a)(2), which does not allow the status to be "[r]e-established after discontinuance for two years."

Subpart (b)(7)(c) of the floodplain ordinance requires that a 36-508 loss of non-conforming status be recognized, by requiring that the "more stringent restrictions prevail" when the reach of multiple ordinances overlap or conflict in application to a property. Therefore, loss of non-conforming status means that the City may no longer evaluate only whether an application is likely to "increase . . . nonconformity,"; instead, the applicants are required to comply fully with current floodplain development standards applicable to new construction in the regulated floodway. Based on this determination by City Staff, the September 2025 permit application was temporarily withdrawn.

After a meeting with staff and City legal, the applicant decided to proceed with this application for the demolition of existing structures and the development of a new residential structure at this location. The design and engineering analysis for the proposed development are included in the application packet for review.

STAFF ANALYSIS:

Site located in Little River Basin or Tributaries? yes__ no✓

According to the latest DFIRM, the entire property is located within the Imhoff Creek floodplain/floodway (Zone AE). The BFE is 1153.0' and estimated flood depth is 4.0'. The entire property is located within one of the City of Norman's repetitive loss areas. These repetitive loss areas are locations where properties have experienced multiple flood events over time.

Applicable Ordinance Sections:

Subject Area:

36-533 (e)(2)(a).....	Fill restrictions in the floodplain
(e)(2)(e).....	Compensatory storage
(e)(5)(b).....	Prohibited Uses
(e)(7).....	Floodways
(f)(3)(8)	No rise considerations

(e)(2)(a) and (e)(2)(e) Fill Restrictions in the Floodplain and Compensatory Storage – The use of fill is restricted in the floodplain.

The applicant's engineer has indicated that more material will be removed from the floodplain than will be brought in, therefore no compensatory storage is required. This includes the change in the volume of material from the base of the residential structure as well as a dilapidated shed and fence.

(e)(5)(b) and (f)(3)(8) Prohibited Uses and No Rise Considerations– Any encroachments, including fill, new construction, substantial improvements, and other development, within any floodway of the designated FH, Flood Hazard District that would result in any increase in flood levels during the occurrence of the one-percent chance flood are prohibited.

This project location is within Imhoff Creek floodway. The project engineer has certified that the project will not cause a rise in the BFE.

(e)(7) Floodways - Located within special flood hazard areas established in subsection (e)(1) of this section are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, encroachments are prohibited, including fill, new construction, substantial improvements and other development unless certification by a professional registered engineer is provided demonstrating that encroachments shall not result in any increase in flood levels within the community during the occurrence of the base flood discharge

This project location is within Imhoff Creek floodway. The project engineer has certified that the project will not cause a rise in the BFE.

RECOMMENDATION: Staff does not recommend Floodplain Permit Application #735 be approved. This location is subject to documented, frequent flash flooding (2-4 feet in depth). Considering the loss of nonconforming status, this permit requests entirely new development. Therefore, the lens through which the floodplain committee must view this application cannot lend consideration to existing structures not already complying with 36-533. The submitted application materials demonstrate reliance on removal of volume based on these illegal structures, and further make no allowance for the preservation of storage during the process of excavating and removing the illegal structure's footing. City staff's chief concern is the safety of persons and property in this area as related to sections (a) *Statutory Authorization. Description and Purpose* and (b) *Methods* of 36-533 FH, Flood Hazard District. Specifically (a)(1, 3, 10, and 11) and (b)(1). Those sections are attached to this report for review.

If the Committee approves the application, staff recommends that an Elevation Certificate and an as-built survey be required to ensure compliance with the two-foot freeboard requirement of the ordinance. This should include the structure and the electrical and mechanical components.

ACTION TAKEN: _____



City of Norman

Floodplain Permit
ApplicationFloodplain Permit No. 735

Building Permit No. _____

Date 12/1/2025FLOODPLAIN PERMIT APPLICATION
(\$100.00 Application Fee Required)SECTION 1: GENERAL PROVISIONS (APPLICANT to read and sign):

1. No work may start until a permit is issued.
2. The permit may be revoked if any false statements are made herein.
3. If revoked, all work must cease until permit is re-issued.
4. Development shall not be used or occupied until a Certificate of Occupancy is issued.
5. The permit will expire if no work is commenced within 2 years of issuance.
6. Applicant is hereby informed that other permits may be required to fulfill local, state and federal regulatory requirements and must be included with this floodplain permit application.
7. Applicant hereby gives consent to the City of Norman or his/her representative to access the property to make reasonable inspections required to verify compliance.
8. The following floodplain modifications require approval by the City Council:
 - (a) A modification of the floodplain that results in a change of ten percent (10%) or more in the width of the floodplain.
 - (b) The construction of a pond with a water surface area of 5 acres or more.
 - (c) Any modifications of the stream banks or flow line within the area that would be regulatory floodway whether or not that channel has a regulatory floodplain, unless the work is being done by the City of Norman staff as part of a routine maintenance activity.
9. All supporting documentation required by this application is required along with the permit fee by the submittal deadline. Late or incomplete applications will not be accepted.
10. I, THE APPLICANT, CERTIFY THAT ALL STATEMENTS HEREIN AND IN ATTACHMENTS TO THIS APPLICATION ARE, TO THE BEST OF MY KNOWLEDGE, TRUE AND ACCURATE.

SECTION 2: PROPOSED DEVELOPMENT (To be completed by APPLICANT):

APPLICANT: Glenn Burnett ADDRESS: 1702 Creekside Dr. Sugarland, Tx 77478
 TELEPHONE: 713-249-8640 SIGNATURE: Glenn Burnett

CONTRACTOR: Ergon Construction, LLC ADDRESS: 6301 Waterford Blvd Ste 315,
 TELEPHONE: 405.303.9140 SIGNATURE: Salah Boustam
 Oklahoma City, OK 73118

Signor ID: HDNLFHBG16...

ENGINEER: LARRY KEEN ADDRESS: P.O. BOX 891200, OKC, OK 73189
 TELEPHONE: 405-823-8240 SIGNATURE: Larry Keen

PROJECT LOCATION

To avoid delay in processing the application, please provide enough information to easily identify the project location. Provide the street address, subdivision addition, lot number or legal description (attach) and, outside urban areas, the distance to the nearest intersecting road or well known landmark. A sketch attached to this application showing the project location would be helpful.

216 S. LAHOMA AVE. FROM INTERSECTION OF MAIN STREET AND LAHOMA AVE, GO SOUTH ON LAHOMA TO INTERSECTION WITH EUFAULA ST. S16 IS ON THE RIGHT

JUST PAST THE INTERSECTION.

DESCRIPTION OF WORK (Check all applicable boxes):**A. STRUCTURAL DEVELOPMENT****ACTIVITY****STRUCTURE TYPE**

- | | |
|---|---|
| <input checked="" type="checkbox"/> New Structure | <input checked="" type="checkbox"/> Residential (1-4 Family) |
| <input type="checkbox"/> Addition | <input type="checkbox"/> Residential (More than 4 Family) |
| <input type="checkbox"/> Alteration | <input type="checkbox"/> Non-Residential (Flood proofing? <input type="checkbox"/> Yes) |
| <input type="checkbox"/> Relocation | <input type="checkbox"/> Combined Use (Residential & Commercial) |
| <input checked="" type="checkbox"/> Demolition | <input type="checkbox"/> Manufactured (Mobile) Home |
| <input type="checkbox"/> Replacement | <input type="checkbox"/> In Manufactured Home Park? <input type="checkbox"/> Yes |

ESTIMATED COST OF PROJECT \$ 403,000 Work that involves substantial damage/substantial improvement requires detailed cost estimates and an appraisal of the structure that is being improved.

B. OTHER DEVELOPMENT ACTIVITIES:

- ☐ Fill ☐ Mining ☐ Drilling ☒ Grading
- ☐ Excavation (Beyond the minimum for Structural Development)
- ☐ Watercourse Alteration (Including Dredging and Channel Modifications)
- ☐ Drainage Improvements (Including Culvert Work) ☐ Road, Street or Bridge Construction
- ☐ Subdivision (New or Expansion) ☐ Individual Water or Sewer System

In addition to items A. and B. provide a complete and detailed description of proposed work (failure to provide this item will be cause for the application to be rejected by staff). Attach additional sheets if necessary.

DEMOLISH THE EXISTING HOUSE; CONSTRUCT NEW HOUSE ON SAME FOOTPRINT AS REMOVED HOME; CONSTRUCT 20' X 20' PARKING PAD WITH TOP OF PD AT THE ELEVATION OF THE EXISTING GROUND. SOIL REMOVED WILL BE TRANSPORTED OFFSITE. DEMOLISH AND REMOVE A STORAGE BUILDING. REMOVE AND REPLACE EXISTING FENCING.

REQUIRED BUILDING PERMITS WILL BE OBTAINED BEFORE PERFORMING WORK.

C. ATTACHMENTS WHICH ARE REQUIRED WITH EVERY APPLICATION:

The applicant must submit the documents listed below before the application can be processed. If the requested document is not relevant to the project scope, please check the Not Applicable box and provide explanation.

- A. Plans drawn to scale showing the nature, location, dimensions, and elevation of the lot, existing or proposed structures, fill, storage of materials, flood proofing measures, and the relationship of the above to the location of the channel, floodway, and the regulatory flood-protection elevation.

- B. A typical valley cross-section showing the channel of the stream, elevation of land areas adjoining each side of the channel, cross-sectional areas to be occupied by the proposed development, and high-water information.

☐ Not Applicable:

- C. Subdivision or other development plans (If the subdivision or other developments exceeds 50 lots or 5 acres, whichever is the lesser, the applicant **must** provide 100-year flood elevations if they are not otherwise available).

☐ Not Applicable:

- D. Plans (surface view) showing elevations or contours of the ground; pertinent structure, fill, or storage elevations; size, location, and spatial arrangement of all proposed and existing structures on the site; location and elevations of streets, water supply, sanitary facilities; photographs showing existing land uses and vegetation upstream and downstream, soil types and other pertinent information.

☐ Not Applicable:

- E. A profile showing the slope of the bottom of the channel or flow line of the stream.

☐ Not Applicable:

- F. Elevation (in relation to mean sea level) of the lowest floor (including basement) of all new and substantially improved structures.

☐ Not Applicable:

- G. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.

☐ Not Applicable:

- H. For proposed development within any flood hazard area (except for those areas designated as regulatory floodways), certification that a rise of no more than five hundredths of a foot (0.05') will occur on any adjacent property in the base flood elevation as a result of the proposed work. For proposed development within a designated regulatory floodway, certification of no increase in flood levels within the community during the occurrence of the base flood discharge as a result of the proposed work. All certifications shall be signed and sealed by a Registered Professional Engineer licensed to practice in the State of Oklahoma.
- I. A certified list of names and addresses of all record property owners within a three hundred fifty (350) foot radius of the exterior boundary of the subject property not to exceed 100 feet laterally from the Special Flood Hazard Area. The radius to be extended by increments of one hundred (100) linear feet until the list of property owners includes not less than fifteen (15) individual property owners of separate parcels or until a maximum radius of one thousand (1,000) feet has been reached.
- J. A copy of all other applicable local, state, and federal permits (i.e. U.S. Army Corps of Engineers 404 permit, etc).

After completing SECTION 2, APPLICANT should submit form to Permit Staff for review.

SECTION 3: FLOODPLAIN DETERMINATION (To be completed by Permit Staff.)

The proposed development is located on FIRM Panel No.: CO 280j, Dated: 01/15/2021

The Proposed Development:

☐ Is NOT located in a Special Flood Hazard Area

(Notify the applicant that the application review is complete and NO FLOODPLAIN PERMIT IS REQUIRED).

☒ Is located in a Special Flood Hazard Area.

☒ The proposed development is located in a floodway.

☐ 100-Year flood elevation at the site is 1151.1 Ft. NGVD (MSL) ☐ Unavailable

See Section 4 for additional instructions.

SIGNED: _____



DATE: 11/18/2025

SECTION 4: ADDITIONAL INFORMATION REQUIRED (To be completed by Permit Staff.)

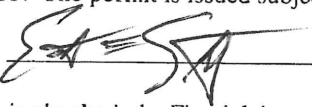
The applicant must also submit the documents checked below before the application can be processed.

- ☐ Flood proofing protection level (non-residential only) _____ Ft. NGVD (MSL). For flood proofed structures applicant must attach certification from registered engineer.
- ☒ Certification from a registered engineer that the proposed activity in a regulatory floodway will not result in any increase in the height of the 100-year flood (Base Flood Elevation). A copy of all data and calculations supporting this finding must also be submitted.
- ☒ Certification from a registered engineer that the proposed activity in a regulatory flood plain will result in an increase of no more than 0.05 feet in the height of the 100-year flood (Base Flood Elevation). A copy of all data and calculations supporting this finding must also be submitted.
- ☒ All other applicable federal, state, and local permits have been obtained.

Other: EXHIBITS: SIE PLAN, STREAM CROSS SECTION, STREAM PROFILE, BUILDING PLANS, FIRMETTE, CONTOURS,, AND OTHERS.

SECTION 5: PERMIT DETERMINATION (To be completed by Floodplain Chairman.)

The proposed activity: (A) ☐ **Is**; (B) ☒ **Is Not** in conformance with provisions of Norman's City Code Chapter 36, Section 533. The permit is issued subject to the conditions attached to and made part of this permit.

SIGNED:  DATE: 12/1/2025

If **BOX A** is checked, the Floodplain committee chairman may issue a Floodplain Permit.

If **BOX B** is checked, the Floodplain committee chairman will provide a written summary of deficiencies. Applicant may revise and resubmit an application to the Floodplain committee or may request a hearing from the Board of Adjustment.

APPEALS: Appealed to Board of Adjustment: ☐ Yes ☐ No
Hearing date: _____

Board of Adjustment Decision - Approved: ☐ Yes ☐ No

Conditions:

SECTION 6: AS-BUILT ELEVATIONS (To be submitted by APPLICANT before Certificate of Occupancy is issued.)

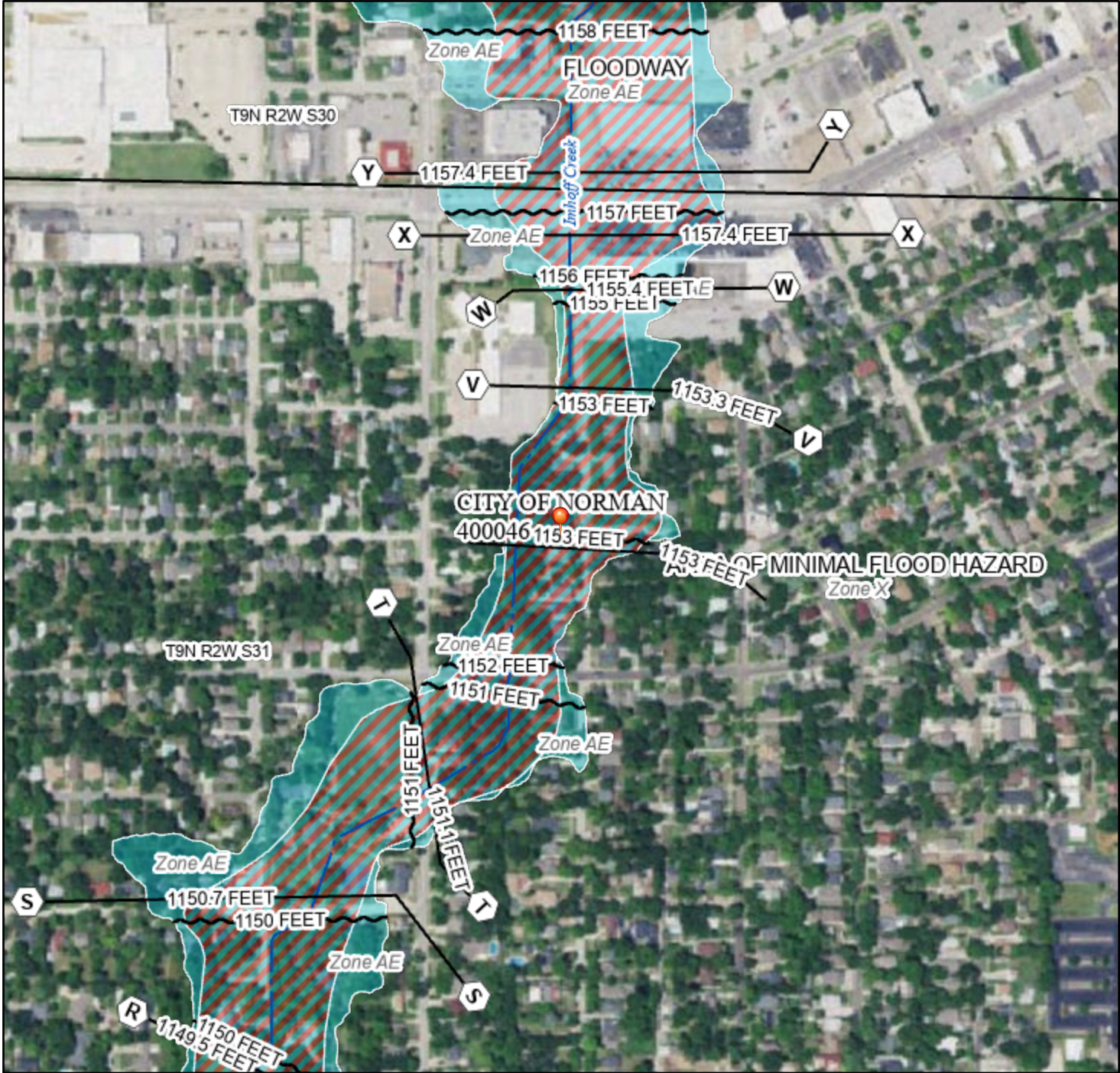
1. FEMA Elevation Certificate
and/or
2. FEMA Floodproofing Certificate

NOTE: The completed certificate will be reviewed by staff for completeness and accuracy. If any deficiencies are found it will be returned to the applicant for revision. A Certificate of Occupancy for the structure will not be issued until an Elevation and /or Floodproofing Certificate has been accepted by the City.

National Flood Hazard Layer FIRMette



97°27'25"W 35°13'12"N



0 250 500 1,000 1,500 2,000 Feet

1:6,000

97°26'48"W 35°12'42"N

Basemap Imagery Source: USGS National Map 2023

Legend

Item 3.

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM UT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS

- NO SCREEN Area of Minimal Flood Hazard Zone X
- Effective LOMRs
- Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 9/19/2025 at 9:28 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifier, FIRM panel number, and FIRM effective date. Map in unmapped and unmodernized areas cannot be used for regulatory purposes.

**NOTICE OF A PUBLIC HEARING
TO CONSIDER A FLOODPLAIN PERMIT**

Dear Citizen,

The purpose of this letter is to provide you with *Legal Notice* that Glenn and Sheila Burnett are requesting a floodplain permit to remove structures and construct a new residential structure at 216 S. Lahoma in the Imhoff Creek floodplain. You, as an owner of property within 350 feet of the floodplain project location, are being notified by mail so that you may have the opportunity, if you so desire, to express yourself as to whether or not this request should be approved.

The Floodplain Permit Committee will conduct a Public Hearing on the requested permit on:

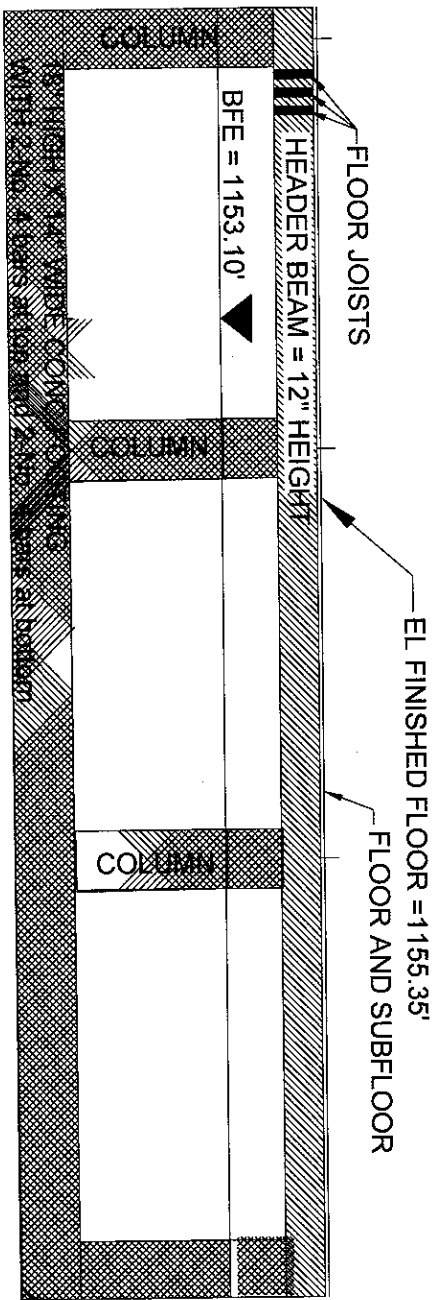
Date: Monday December 1, 2025 at 3:30 p.m.
Location: Conference Room B
225 N. Webster, Norman, OK

At that meeting, the public is invited to appear and submit comments to the Committee on the proposed Floodplain Permit. At the meeting, the Committee will approve, deny, modify, or postpone said request. Should you have a question regarding the floodplain permit request, please contact the Norman Public Works Director at 405 329-2524. A staff member in the Department will be pleased to discuss this application and assist in answering your questions.

City of Norman
Floodplain Permit Committee
225 N. Webster
Norman, OK 73069

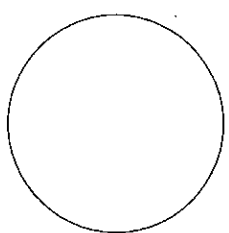
Floodplain Permit Application #735

PROPOSED ELEVATED STRUCTURE
216 S LAHOMA AVENUE, NORMAN, OK
CONSTRUCTION DETAIL



NOTE: AREA BETWEEN COLUMNS TO REMAIN OPEN, PERMANENTLY, TO REDUCE IMPACT ON FLOODPLAIN. NO ENCLOSED AREA BELOW THE BFE; THEREFORE FLOOD VENTS ARE NOT REQUIRED.
NOTE: ALL ELEVATIONS ARE NGVD'88
NOTE: ONE ROW OF COLUMNS OF THREE ROWS. COLUMNS ARE SPACED 10.33 FT CENTER TO CENTER.

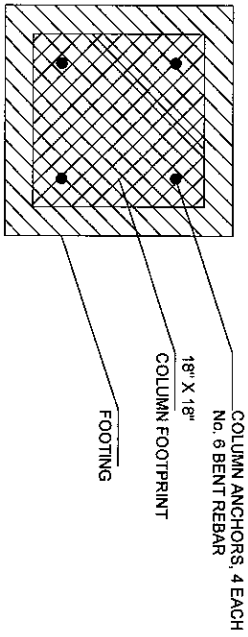
EL TOP COLUMN = 1154.35.
COLUMN HEIGHT MAY BE VARIED TO SPECIFIED MIN. F.F. ELEVATION.
CONC. COLUMN: 15 TOTAL
18" X 8" WITH 6EA NO. 6 BARS
EL ADJACENT GRADE = 1149.50'



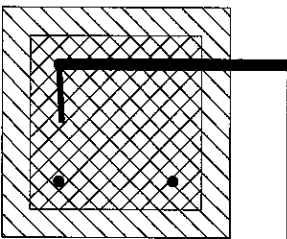
REGISTERED PROFESSIONAL ENGINEER
EARL GARY KEEN
11438
OKLAHOMA
11-12-2025
Earl Gary Keen

EARL GARY KEEN PE 11,438, EXP. 05-31-2026
PO BOX 891200, OKLAHOMA CITY, MO 73189

PLAN VIEW COLUMN FOOTPRINT--TYPICAL

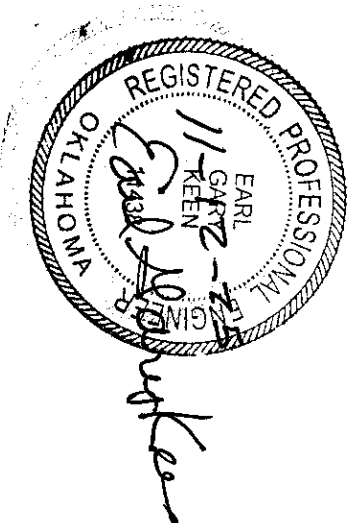


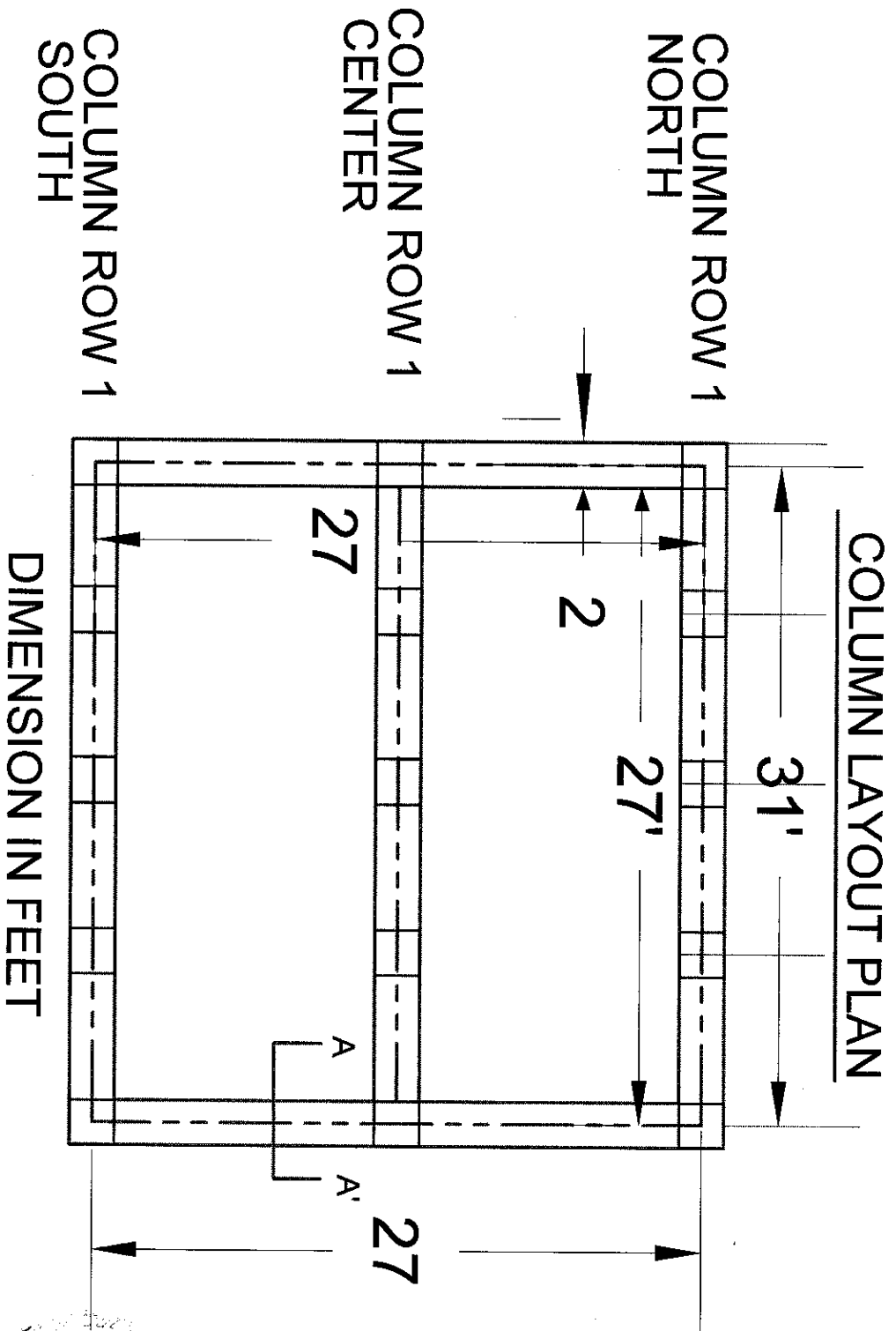
SECTION VIEW COLUMN FOOTPRINT--TYPICAL



REBAR ANCHOR (TO THE COLUMN TO THE FOOTING, 4 EACH AT EVERY COLUMN)
PLACE BOTTOM 12 INCHES MIN. INTO THE FOOTING AND TOP TO BE 12 INCHES MIN
INTO THE COLUMN.

4-EACH BENT REBAR ANCHORS SET IN FOOTING AND EXTENDING ONE FOOT FOOT
ABOVE INTO COLUMN. NO. 6 REBAR.

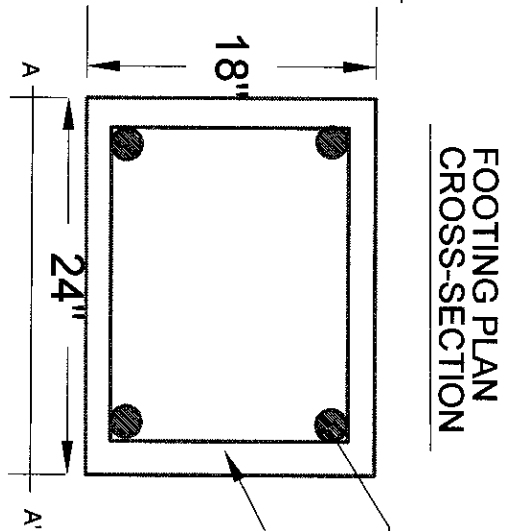
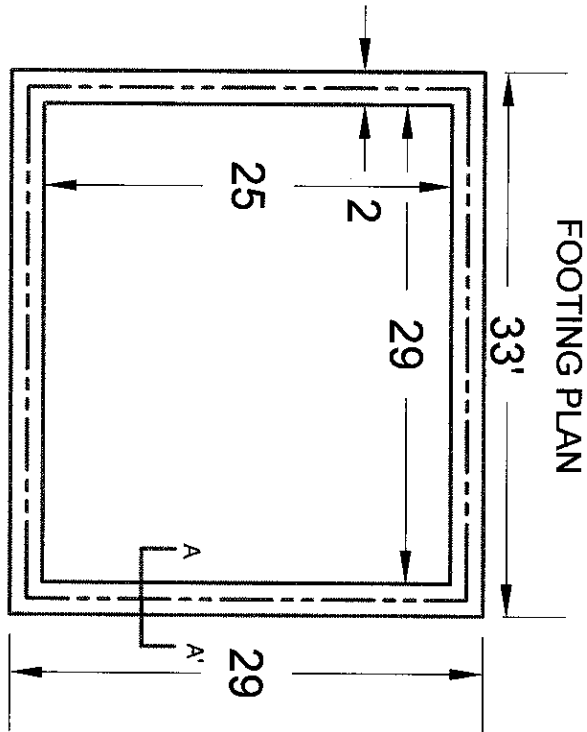




NOTE: COLUMNS SPACE IN EACH ROW AT 10.33' CENTER TO CENTER

WEST _____ EAST

Carl Langke
11-12-25



4 EA. NO. 8 REBAR, CONTINUOUS, OVERLAP TO BE MIN. 12 DIAMETERS OF REBAR. PLACE REBAR 1-1/2" FROM EDGE.
CONCRETE, 4000 PSI COMP. STRENGTH DESIGN.
PLACE TOP OF FOOTING AT GROUND LEVEL. FOOTING DEPTH TO BE TWO FEET MINIMUM.
PLACE BENT CONCRETE ANCHORS AT LOCATION OF COLUMNS. FOUR BENT ANCHORS AT EVERY COLUMN.
3/8" STIRRUP SPACED EVERY TWO FEET

Earl H. Keen
11-12-25





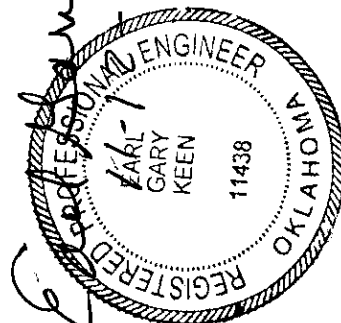
(SEE ARCHITECTURAL DRAWINGS FOR MORE
DETAIL REGARDING THE PROPOSED RESIDENCE)

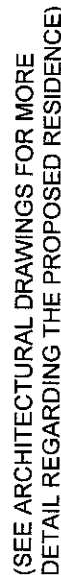
EXISTING
STORM SEWER
INLET

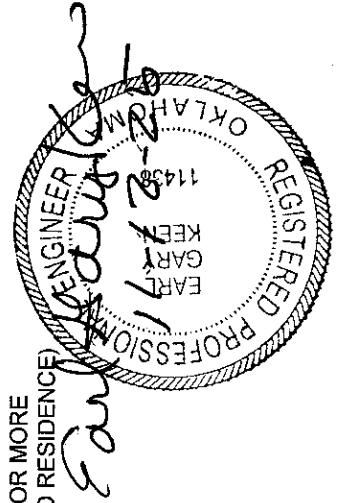
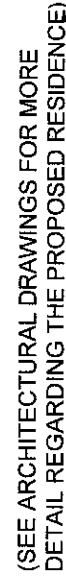
C/L LAHOMA AVE.

PROP LINE 50'

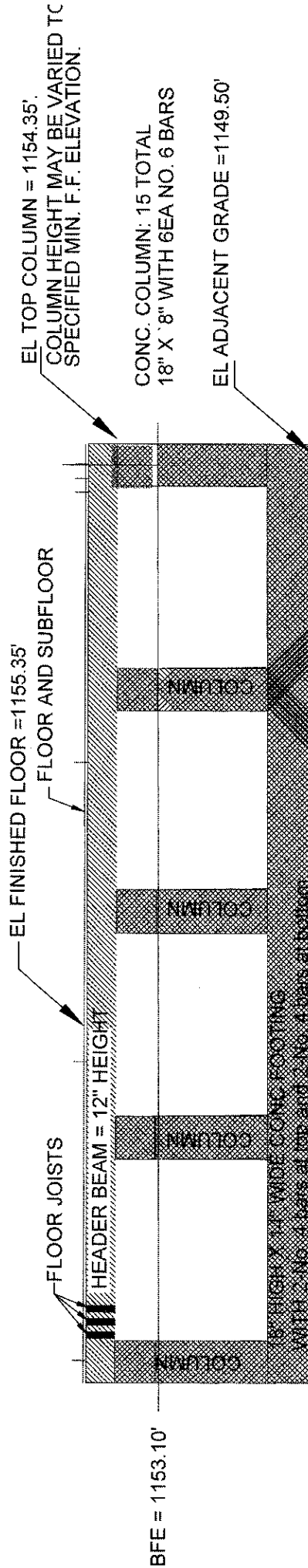
6-~~Grad~~ Professional - 25







PROPOSED ELEVATED STRUCTURE
216 S LAHOMA AVENUE, NORMAN, OK
CONSTRUCTION DETAIL

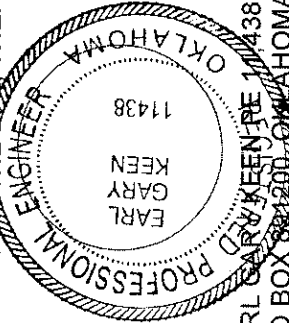


NOTE: AREA BETWEEN COLUMNS TO REMAIN OPEN, PERMANENTLY, TO REDUCE IMPACT ON FLOODPLAIN. NO ENCLOSED AREA BELOW THE BFE. THEREFORE FLOOD VENTS ARE NOT REQUIRED.

NOTE: ALL ELEVATIONS ARE NGVD'88

NOTE: ONE ROW OF COLUMNS OF THREE ROWS. COLUMNS ARE SPACED 10.33 FT CENTER TO CENTER.

Earl Gary Keen
11-12-25



EARL GARY KEEN, PE 11438, EXP. 05-31-2026
PO BOX 804200, OKLAHOMA CITY, MO 73189

216 SOUTH LAHOMA AVENUE

DISCUSSION OF IMPACT ON THE FLOODPLAIN RESULTING FROM PROPOSED REDEVELOPMENT OF THIS PROPERTY WITH SAID REDEVELOPMENT CONSISTING PRIMARILY OF REMOVAL OF THE EXISTING RESIDENTIAL STRUCTURE AND CONSTRUCTION OF A NEW STRUCTURE OF THE SAME TYPE AND USE

AND

CERTIFICATION STATEMENT PROVIDED BY BY AN OKLAHOMA LICENSED PROFESSIONAL ENGINEER REGARDING THE IMPACT THAT THE PROPOSED DEVELOPMENT WILL HAVE ON THE FLOODPLAIN THAT EXISTS AT THIS SITE.

HISTORY

The lot on which the subject property is located in Lot 6, Block 2, Eagleton Addition, City of Norman, Cleveland County State of Oklahoma. This addition is one of the older additions in the City of Norman, being platted prior to the existing residence being constructed in 1930. In those early years, plats were created in a much different way that it is done today. In the early years of the city, developers and their engineers and surveyors created plats of proposed development with little regard for existing terrain drainage ways or other existing features. In the early developments, the development platted essentially every square foot of the land that he/she owned, and the City approved such plats upon filing of same. Today, the City closely regulates new developments and the related plats. In the old days, plats were created that showed lots located in floodplains and even in floodways with the intention of all of these lots being developed. Today, the process of getting a plat approved in Norman requires careful analysis of existing drainage ways and the creation of drainage easement and in many cases, the improvement of existing drainage ways to insure that the development does not create drainage problems within the property being developed or other properties located within the community.

The existing residence located on the subject tract was constructed in 1930, and the City of Norman did not join the Federal Flood Insurance Program until 1978 or perhaps a little later. FEMA recommended regulations were adopted by the City at the time of joining the Federal Flood Insurance Program. Since joining the FIP, the City of Norman has been closely regulating development and re-development in the floodplain. But, in 1930, there were no FEMA sponsored regulatory guidelines. Consequently, many residences located within the City were constructed in floodprone area, with the results being occasional flooding of many of these structures and repetitive flooding of some of these structures. The existing residence on the subject lot is one of the structures that has unfortunately experience repetitive flooding.

The City of Norman is experiencing a great demand for affordable housing, especially in locations near the campus. Consequently, many of the older existing homes have been purchased with the intent to repair, remodel, and/or replace these structures. The City has received and considered many applications for floodplain permits to upgrade these older, existing homes in this same floodplain, and many of those applications have been approved.

A Floodplain permit application was previously submitted to elevation this existing structure, and this application was approved by the City. This approved permit has now expired and the owner of the property now desires to remove the existing structure and replace it with a newly constructed residence.

The existing structure is located in the floodplain and in the floodway of Imhoff Creek, and the solid walls of this residence certainly creates an impediment to the flow of flood water down the valley. However, there are other improvements that provide an impediment to the flow of floodwater across this property and onward down the valley. First, there is a storage building that has dimension of approximately 8-feet by 8-feet. Second, there is a stockade fence that runs along the north property line of this property that is approximately six feet high and xxx feet. The length of this fence that runs perpendicularly to the flow of floodwater across this property is xxx feet. The dimensions of the existing residence is 27-feet by 31-feet. All of these objects provide a restriction to the free flow of water across this property and down the valley.

There are some existing wire fences that have captured some floatable items and need to be cleaned. The current proposal is to keep the wire fences, but to clean and repair these fences. The owner intends to inspect these fences on a monthly basis and clean and maintain same as needed to provide for the maximum free flow of stormwater through these existing chain-link type wire fences.

There is a rail type fence made of steel pipe placed horizontally that runs along the east bank of the lined drainage channel that runs across this property. This fence runs in a direction parallel to the flow of storm water across this property; therefore, this fence will have a small degree of restriction to the flow of water across this property and down the valley. For that reason and because this fence is existing and has existed for a long time, the proposal is to keep this fence in place. It will serve as a safety barrier to prevent a person from stumbling into the drainage channel.

There is another fence that exists in the vicinity of this property that should be mentioned. This fence is another pipe-rail fence and it runs from east to west across the valley, and it is located on the adjacent lot that abuts 216 Lahoma Avenue on the south side. This fence runs from the east property line westward across the valley to the east bank of the concrete lined channel. This fence has a major impact on the floodplain as it will hinder the free flow of water across the property on which it is located and onward down the valley. Perhaps this existence of this fence has contributed to the previous flooding of the existing structure at 216 Lahoma Avenue because this fence will certainly create some back-water (increased water depth) at 216 Lahoma Avenue during periods of severe flooding. This fence appears to be located on a lot addressed as 218 South Lahoma Avenue, and the Cleveland County assessor's webpage shown the owner of this lot to be the City of Norman. This, the City of Norman may be the owner of this fence, and the City might be willing to remove this fence in order to reduce the risks of flooding upstream of same.

CURRENT RESTRICTIONS TO FLOW ACROSS PROPERTY AT 216 S LAHOMA AVE.

As mentioned above three restrictions to southward flow across the property at 216 S Lahoma Ave exist at or near the north property line of that lot. On the east is the historic residence, which has dimension of 27-feet by 31-feet. The wall having a length of 27 feet is located at the east end of this line of restrictive objects and the east-west length of the restriction is 27 feet. This wall is constructed of brick and has no openings to allow the passage of water through this wall. At the west end of this line of restrictions is a storage building that has dimension of approximately 8-feet by 8-feet. The restriction associated with this building is a solid wall eight feet in length. Between the residence and the storage building is a stockade fence that has a length of 35.25 feet. This stockade fence incorporates vertical 1 x 6 planks that are 5.5 inches in width and it is assembled with cracks between the planks, and the cracks between the planks is approximately 1/2 inch in width. Therefore, it is concluded that it is reasonable to consider this fence to be of a solid construction and that the stormwater that could flow through the cracks in the fence is negligible. Accordingly it is concluded that

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There are some existing wire fences that have captured some floatable items and need to be cleaned. The current proposal is to keep the wire fences, but to clean and repair these fences. The owner intends to inspect these fences on a monthly basis and clean and maintain same as needed to provide for the maximum free flow of stormwater through these existing chain-link type wire fences.

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There is another fence that exists in the vicinity of this property that should be mentioned. This fence is another pipe-rail fence and it runs from east to west across the valley, and it is located on the adjacent lot that abuts 216 Lahoma Avenue on the south side. This fence runs from the east property line westward across the valley to the east bank of the concrete lined channel. This fence has a major impact on the floodplain as it will hinder the free flow of water across the property on which it is located and onward down the valley. Perhaps this existence of this fence has contributed to the previous flooding of the existing structure at 216 Lahoma Avenue because this fence will certainly create some back-water (increased water depth) at 216 Lahoma Avenue during periods of severe flooding. This fence appears to be located on a lot addressed as 218 South Lahoma Avenue, and the Cleveland County assessor's webpage shown the owner of this lot to be the City of Norman. This, the City of Norman may be the owner of this fence, and the City might be willing to remove this fence in order to reduce the risks of flooding upstream of same.

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As mentioned above three restrictions to southward flow across the property at 216 S Lahoma Ave exist at or near the north property line of that lot. On the east is the historic residence, which has dimension of 27-feet by 31-feet. The wall having a length of 27 feet is located at the east end of this line of restrictive objects and the east-west length of the restriction is 27 feet. This wall is constructed of brick and has no openings to allow the passage of water through this wall. At the west end of this line of restrictions is a storage building that has dimension of approximately 8-feet by 8-feet. The restriction associated with this building is a solid wall eight feet in length. Between the residence and the storage building is a stockade fence that has a length of 35.25 feet. This stockade fence incorporates vertical 1 x 6 planks that are 5.5 inches in width and it is assembled with cracks between the planks, and the cracks between the planks is approximately 1/2 inch in width. Therefore, it is concluded that it is reasonable to consider this fence to be of a solid construction and that the stormwater that could flow through the cracks in the fence is negligible. Accordingly it is concluded that

the width of this restrictive line of objects, consisting of residence, wall of storage building and stockade fence is 70.25 feet.

PROPOSED MODIFICATIONS

The proposal included in the current application for a floodplain permit includes:

- 1) Removing the current residence in its entirety and constructing a new residence that has the same living area as the original residence. The new residence will be constructed on piers that will have a top elevation designed to place the proposed finished floor of the new structure a minimum of two feet above the 100-year base flood elevation to comply with applicable regulations regarding minimum finished floor elevations. Only the width of the piers will be in contact with flowing flood waters and there will be fifteen piers. The width of each pier will be 1.5 feet; therefore, the total width of the restriction caused by the piers will be 22.5 feet.
- 2) The above-mentioned storage building will be removed completely and it will not be replaced.
- 3) The above-mentioned stockade fence will be removed in its entirety and it will not be replaced. Removal of this stockade fence will remove 35.25 feet of the restrictive line of objects discussed in the preceding section.
- 4) The existing chain-link fence will be cleaned and repaired and this fence work will not change the flow of floodwater across the subject property.
- 5) The pipe-rail fence that exists along the east bank of the lined drainage channel will not be modified and will remain as it is, and this will not change the flow of flood water across the subject property.
- 6) The additional paved parking are proposed in a previous submittal of this application will not be constructed and is hereby withdrawn from the application. This change will not impact the flow of water across the subject property.
- 7) The wire fencing that is located in the vicinity of the north line of the concrete paved driveway will be repaired and cleaned as needed. This fence work will not change the flow of storm water across the subject property.

CONCLUSION

The existing restrictions (or blockage to flow) across this property consists of a storage building, a stockade fence, and the wall of the existing residence. The storage building will be removed, the stockade fence will be removed and the existing residence will be removed and a new residence will be constructed with the new residence being supported by twelve piers. Accordingly, the current restricted or blocked width of flow is 70.25 feet, as shown by the attached exhibit. The width of the restriction per the proposed plan is 22.5 feet. Accordingly, under the proposal, the width of the restrictive objects or the flow blockage will be just $(100 \times 22.5 / 70.25) = 32.0$ percent of the width of the restrictive objects or the flow blockage that exists under the existing conditions. For these reasons, it is concluded that any qualified, competent and reasonable engineer should rationalize that the proposed modifications for the subject property will not increase the elevation of the floodplain nor the elevation of the floodway on any of the adjacent properties or on any other properties within this community. Basic hydraulics indicates that removing objects that restrict the free flow of water down a drainageway should result in a decrease in the elevation of the flowing water—not an increase. The proposed construction improvements on this property will promote the flow of water across this property for the reasons discussed above, and that change will be a positive measure in terms of managing the floodplain and floodway at this location.

**COMPENSATORY STORAGE FOR THE VOLUME OF THE TWO STAIRS THAT WILL BE
CONSTRUCTED FOR ACCESS TO THE PROPOSED STRUCTURE at 216 S Lahoma Ave.**

Two stairways are proposed for access to the proposed structure at 216 S Lahoma Avenue. These stairs will have some volume and the lower portion of these stairs will be located in the flood plain that exist at the site. The stairs construction will be metal because the steel construction will have less volume than stairs constructed of either masonry or wood, the alternative materials. In addition, stairs will have a more open profile because there will be open space between the steps, and that open space will allow for the flow of storm water through the stairs during periods of flooding.

The development proposal include removing some soil from the back yard of the subject property to compensate for the volume of the floodplain that will be occupied by the two stairs.

The depth of the floodwater below the BFE at the location of the stairs is 3.8 feet, measured in a vertical direction. However, the stairs will be sloped to accommodate the steps having a tread width of 11 inches and a rise of 8 inches for each step. Consequently, the length of the step runners located below the BFE during a 100-year storm is $3.8 \times 11/7 = 5.23$ feet. The width of the steps is four feet; therefore, the volume of the stairs located below the BFE is $5.23 \times 4 = 20.92$ sq. ft. Note that this computation is based on the space between the steps to be closed, but that space will remain open. For that reason, this computation errors slightly on the high side—for a conservative analysis. For the two stairs, the total volume will be $(2 \times 20.92) = 41.84$ cubic feet or $(41.84/27) = 1.55$ cubic yards. Accordingly, the volume of soil to be removed from the back yard is specified to be 2.0 cubic yards = 54 cu ft. The area from which this soil is to be removed is eight-feet by 18-feet, and the average depth of soil to be removed is 4.5 inches. The calculation for the volume of soil to be removed is computed:
Depth = 4.5 inches = $4.5/12 = 0.375$ feet. The area to be excavated is 8 feet x 18 feet = 144 sq feet, and the volume is $0.375 \text{ feet} \times 144 \text{ sq. ft} = 54 \text{ cubic feet} = 54/27 = 2.0 \text{ cubic yards}$. Accordingly the soil to be removed from the 8 foot by 18 foot area is an average depth of 4.5 inches for a total volume of 2 cubic yards. This soil shall be removed from the site for disposal. This soil can not be placed in the this flood plain or any other floodplain located in the City of Norman. Removal of this soil will provide the compensatory storage to offset the construction of the two stairs that are to be located in the floodplain and floodway.

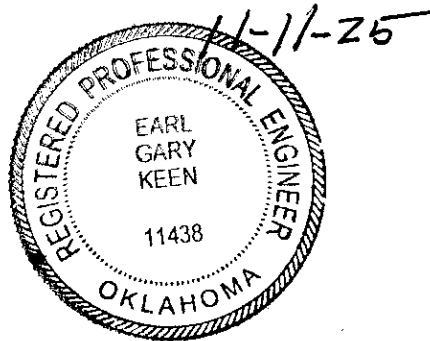
Some excavation will be required for construction of the footing for the proposed residence. All excavated soil will be removed from this site and this excavated soil can not be placed in this flood plain or any other flood plain located in the City of Norman.



ENGINEER'S CERTIFICATION

I Earl Gary Keen, PE, an engineer licensed to practice professional engineering in the State of Oklahoma, do hereby state that I am an engineer experienced in drainage engineering and flood plain analysis and that I am in good standing with the State of Oklahoma Board of Licensure for Professional Engineers and Surveyors. Furthermore, I state that I have made a thorough and careful analysis of the floodplain and floodway associated with Imhoff Creek that exists on the property known as 216 S Lahoma Avenue, Norman, Oklahoma. Furthermore, I state that I am familiar with an application submitted by Glenn Burnett to the City of Norman for a Floodplain Permit; said Floodplain Permit being required by City of Norman regulations prior to issuance of a building permit for conducting construction activities in a floodplain located within the City of Norman. Furthermore, I hereby state that it is my professional opinion that the work proposed in the modified permit application, as summarized in the attached document will not result in any increase in the flood elevations at any location in the community during the occurrence of the base flood as a result of the proposed work at this location.

Earl Gary Keen
PE 11,438, EXP. 5-31-2026



36-533 FH, Flood Hazard District

(a) *Statutory Authorization. Description and purpose.* The Legislature of the State of Oklahoma has in the Oklahoma Floodplain Management Act, Sections 1601 through 1620.1 of Title 82 of the Oklahoma Statutes, delegated the responsibility, and authorized local governments, to adopt and enforce regulations designed to minimize flood losses within this Flood Hazard District. The FH, Flood Hazard District includes special flood hazard areas which are subject to periodic or occasional flooding during a one-percent chance flood, and for which special regulations are applied in addition to or in combination with other zoning regulations applying to these areas to guide the type and manner of floodplain use so that it is consistent with the land use needs of the City. The City thus declares that it is the purpose of this Flood Hazard District to exercise this delegated authority, to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (6) Help maintain a stable tax base by providing for the sound use and development of floodprone areas in such a manner as to minimize future flood blight areas;
- (7) Control in special flood hazard areas, uses such as fill dumping, storage of materials, structures, buildings and any other works which, acting alone or in combination with other existing or future uses, would cause damaging flood heights or erosive velocities by obstructing flows and reducing floodplain storage;
- (8) Ensure that potential buyers are notified that property is in a floodprone area;
- (9) Meet the needs of the streams to carry floodwaters and protect the creek channels and floodplains from encroachment so that flood heights and flood damage will not be increased;
- (10) Enhance existing protections for residents, structures, and public facilities from flood damage;
- (11) Preserve floodplain areas for their open space and natural habitat values; and
- (12) Establish provisions and procedures that will provide additional protections for floodplain areas with no net loss of allowable density on affected lots and parcels.

(b) *Methods.* In order to accomplish its purposes, this chapter uses the following methods:

- (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters;

- (4) Control filling, grading, dredging and other development which may increase damage;
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands;
- (6) Require the transfer of structures and buildings from portions of the lot in the floodplain to upland areas out of the floodplain;
- (7) Seek ways to reduce loss of natural floodplain areas and enhance natural and beneficial functions of floodplains in areas facing development.

a. To secure this protection from flooding, the objectives of this section are to ensure the retention of sufficient floodway area to convey flood flows; to designate a minimum flood protection elevation; to reduce the height and violence of floods insofar as such are increased by any artificial obstruction; and to ensure the proper floodproofing of structures subject to flooding. The purpose of the FH, Flood Hazard District is to provide that designated special flood hazard areas are developed only in the interest of the community's general health, safety, and welfare. The FH, Flood Hazard District is not for the purpose of encouraging development in areas of special flood hazard.

b. To further the interest of the community's general health, safety and welfare, any violation of this section shall be deemed to constitute a public nuisance.

c. This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposed the more stringent restrictions shall prevail.

- (c) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

100-year flood. (See *One-percent chance flood.*)

100-year floodplain means the land area that is inundated by floodwaters during a 100-year flood. See Special flood hazard area.

500-year flood means the flood having a 0.2-percent chance of being equaled or exceeded in any given year.

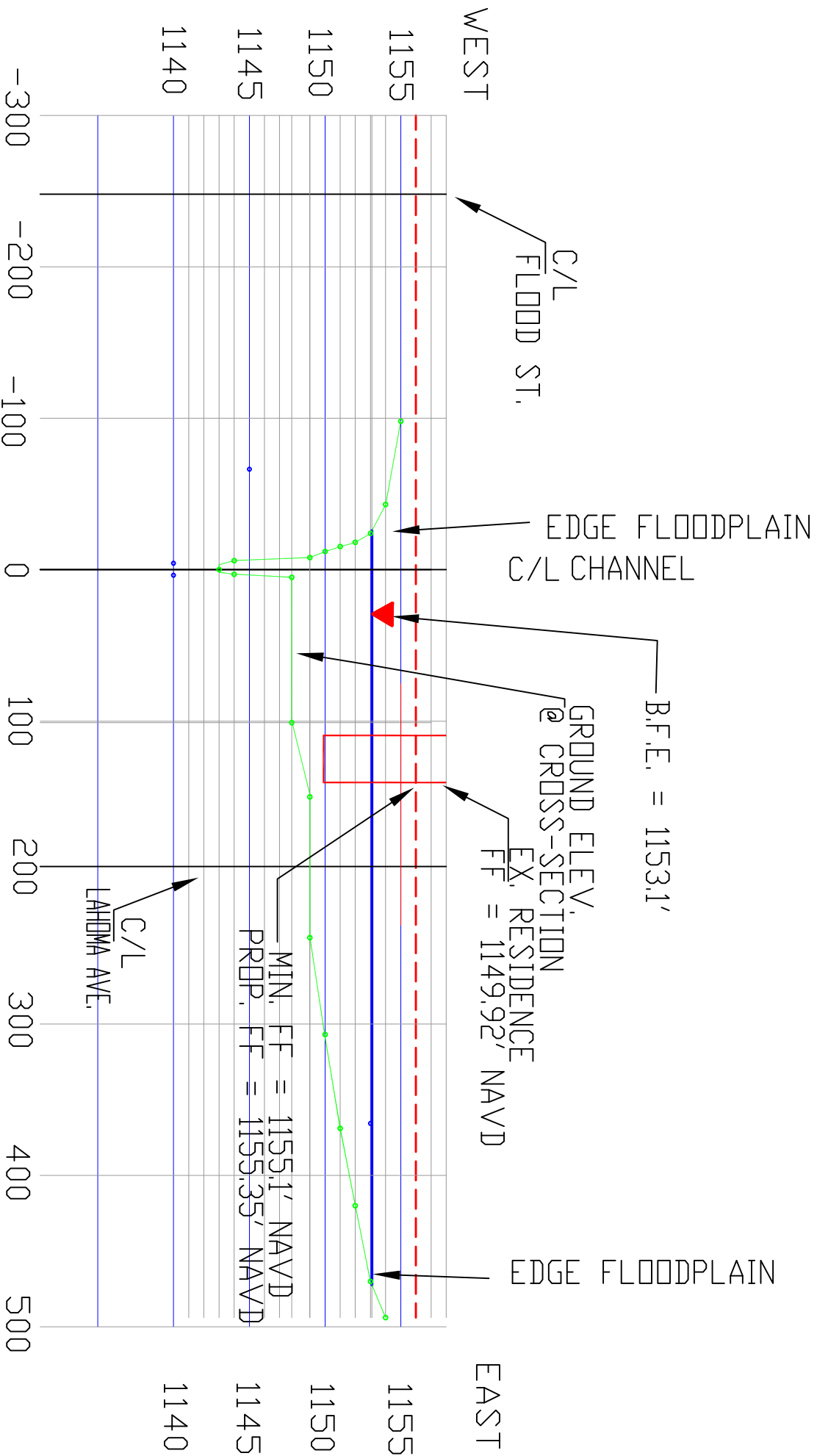
Accessory structure. See *Appurtenant structure.*

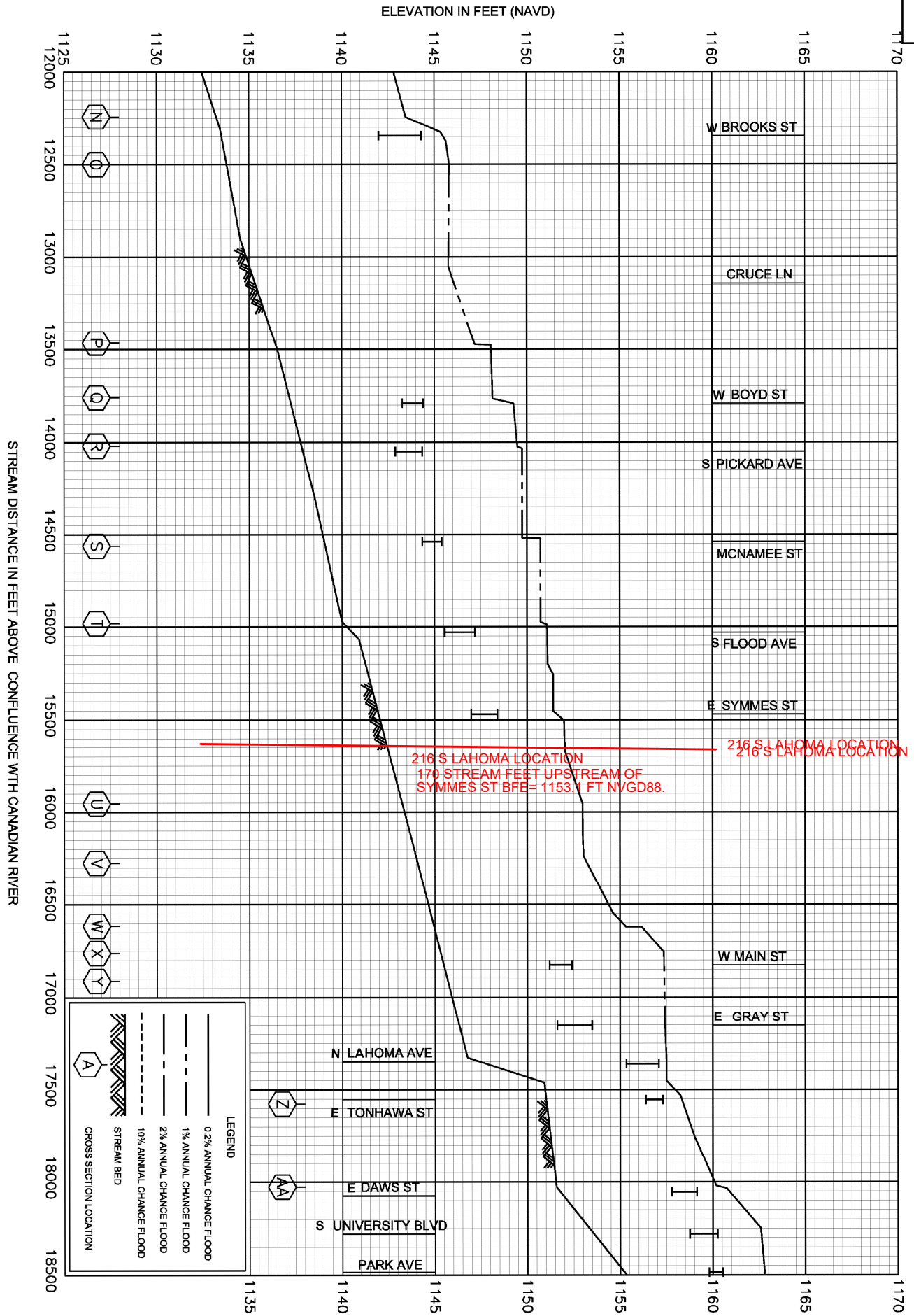
Appeal means a request for a review of the Floodplain Permit Committee's interpretation of any provision of this section, FH, Flood Hazard District.

Appurtenant structure means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

Area of shallow flooding means a designated AO or AH zone on the City's flood insurance rate map (FIRM) with a one-percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

216 S. LAHOMA AVE., NORMAN, OK
CROSS-SECTION OF STREAM
AT N. EDGE OF RESIDENCE







December 9, 2025

Glenn Burnett
1702 Creekside Dr.
Sugar Land, TX 77478

Re: Floodplain Permit Application #735

Dear Mr. Burnett:

The Floodplain Permit Committee has reviewed Floodplain Permit Application #735 for the proposed development located at 216 S. Lahoma. After evaluation of the application, supporting materials, site conditions, the requirements of Section 36-533 of the Norman City Code (Flood Hazard District), and input from City Staff and the Applicant/Applicant Representatives at its December 1, 2025 meeting, the Committee voted to deny the application.

Reasons for Denial

As required under NCC 36-533(f)(5), the Committee reviewed relevant factors including:

1. The danger to life and property due to flooding or erosion damage;
2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the owner;
3. The danger that materials may be swept onto other lands to the injury of others;
4. The safety of access during flood conditions for ordinary and emergency vehicles;
5. The compatibility of the proposed development with existing and anticipated conditions in the floodplain; and
6. The expected flood heights, velocities, and sediment transport at the site.

Regulatory Floodway Restrictions

Your property lies within the FEMA-designated regulatory floodway. Under NCC 36-533(e)(5)(b) and NCC 36-533(e)(7), any encroachment, including fill, new construction, substantial improvements, or other development, is prohibited if it results in any increase in flood levels during the base flood event.

Your application constitutes new development within the regulatory floodway. Accordingly, new development cannot be approved within the regulatory floodway unless it meets the strict statutory standard of zero increase in flood levels in addition to the other relevant factors indicated above, which your application did not satisfy.

History of Flooding at the Site

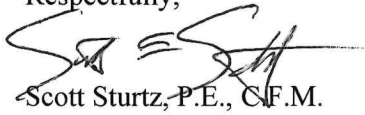
This portion of the floodway has documented flooding depth, velocity, and debris risk. The location of the proposed development within the active flow conveyance area poses increased risk to the applicant and adjacent properties, and would conflict with the purpose of the Flood Hazard District to maintain floodway conveyance and prevent increased flood heights.

Appeal Rights

You may request an appeal before the City of Norman Board of Adjustment under NCC 36-533(f)(7) if you believe this determination was made in error or wish to pursue further relief.

If you have further questions, please contact City staff at (405) 366-5455.

Respectfully,



Scott Sturtz, P.E., C.F.M.

Director of Public Works – Floodplain Administrator

cc: Jane Hudson, Director of Planning and Development
Tim Miles, City Engineer
Ken Danner, Subdivision Development Manager
Lora Hoggatt, Planning Services Manager
Bill Scanlon, Citizen Member
Sheri Stansel, Citizen Member
Jason Murphy, Stormwater Program Manager
Todd McLellan, Development Engineer



CITY OF NORMAN, OK FLOODPLAIN PERMIT COMMITTEE MEETING

Development Center, Conference Room B, 225 N. Webster Avenue,
Norman, OK 73069

Monday, December 1st, 2025 at 3:30 PM

MINUTES

The Floodplain Permit Committee of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in Conference Room B at the Development Center, on the 1st day of December, 2025, at 3:30 p.m., and notice of the agenda of the meeting was posted at the Norman Municipal Building at 201 West Gray, Development Center at 225 N. Webster and on the City website at least 24 hours prior to the beginning of the meeting.

ROLL CALL

The meeting was called to order by Mr. Sturtz at 3:30 p.m. Roll was taken. Committee members in attendance included Bill Scanlon, Resident Member; Sherri Stansel, Resident Member; Scott Sturtz, Floodplain Administrator; Tim Miles, City Engineer; Ken Danner, Subdivision Development Manager; and Jane Hudson, Director of Planning. Committee members absent included Lora Hoggatt, Planning Services Manager. Also in attendance were Brandon Brooks, Capital Projects Engineers; Todd McLellan, Development Engineer; Amy Shepard, Staff. Citizens in attendance included Gary Keen, Engineer; Catherine Gillaranz, Architect; and Sheila Burnett, property owner.

MINUTES

1. Approval of minutes from the October 10th, 2025, meeting
 - a. Mr. Scanlon motioned to approved. Ms. Hudson seconded the motion. The minutes were approved 6-0.

ACTION ITEMS

2. Floodplain Permit No. 735

Mr. Sturtz stated that the floodplain permit application is for removal of structures and the construction of a new residential structure located at 216 S. Lahoma Avenue in the Imhoff Creek floodplain.

Mr. Brooks stated the applicant is Glenn and Sheila Burnett, the Engineer is Earl "Gary" Keen, P.E., and the Architect is Krittenbrink Architecture, LLC.

Mr. Brooks provided historical details surrounding the property and communications between the applicant and staff leading up to the application. Mr. Brooks then provided the staff report, detailing the request with respect to the floodplain permit requirements and potential impacts.

Mr. Brooks stated staff recommends permit app #735 not be approved.

Mr. Sturtz asked the committee if they had any questions. There were not any questions from the committee.

Mr. Scanlon stated the staff must focus on protection of life and property and that it would be an adequate reason to not approve the application.

Mr. Sturtz asked for any comments from the public.

The applicant, engineer, and architect explained their actions to comply with ordinances and requirements leading up to this point. They stated that they were not notified that the Floodplain application from June of 2023 had or would expire after two years of nonuse.

Mr. Scanlon explained that ultimately the rules for approval are different now and with the expiration of the previous application, they must judge this application off current rules and circumstances.

Mr. Scanlon motioned to deny the application. Ms. Hudson seconded the motion.

The permit was denied with a vote of 6-0.


MISCELLANEOUS COMMENTS

Mr. Sturtz asked if there were any miscellaneous comments. Ms. Shepard stated that there will be at least two applications for the meeting on December 15th, 2025.

ADJOURNMENT

Mr. Scanlon motioned to adjourn. Ms. Hudson seconded the motion. Mr. Sturtz adjourned the meeting at 4:05 p.m.

Passed and approved this 15th day of December, 2025



Norman Floodplain Administrator, Scott Sturtz



Appeal of Administrative Decision
BOARD OF ADJUSTMENT

Case No. BOA Item 3.

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

APPLICANT(S) Glenn and Sheila Burnett	ADDRESS OF APPLICANT 1702 Creekside Dr. Sugar Land, TX 77478
NAME AND PHONE NUMBER OF CONTACT PERSON(S) Glenn Burnett 713-249-8640 Sheila Burnett 281-455-0437	EMAIL ADDRESS Glenn.Burnett@MemorialHeramnn.org Sheila@ATBLawFirm.com

Legal Description of Property: The legal description is Lot 6, Block 2, Eagleton Addition.
Located West side of South Lahoma Avenue, approximately 900 feet of West Main Street
at the intersection with West Eufaula Street, the address is 216 South Lahoma Avenue.

Requests Hearing for:

APPEAL of Administrative Decision

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

Please see attached Word document

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

SIGNATURE OF PROPERTY OWNER(S): Glenn Burnett <small>Digitally signed by Glenn Burnett Date: 2025.12.19 09:13:37 -06'00'</small>	ADDRESS AND TELEPHONE: 1702 Creekside Dr Sugar Land, TX 77478 713-249-8640
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<div>OFFICE USE ONLY</div> <div><input type="checkbox"/> Application <input type="checkbox"/> Filing Fee of \$150.00</div>	<div>Date Submitted: </div> <div>Checked by: </div>
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Appeal of denial of the Floodplain Permit for 216 S. Lahoma Avenue and requests that the Board of Adjustment:

1. **Reverse the denial**, or
2. **Grant relief** allowing the project to proceed under the non-conforming / substantial-improvement framework, or
3. **Direct staff to process the project through Floodplain review** with conditions, rather than deny outright.

BACKGROUND AND FACTS

1. Pre-Existing, Lawful Structure

- The residence at 216 S. Lahoma Avenue is a **lawfully established residential structure** that existed prior to current floodplain and zoning regulations.
- The structure has historically been recognized by the City as **non-conforming but lawful**.

2. Flood Events and City Direction

- The property experienced flooding prior to and after the owner's acquisition (November 2022).
- In 2023, City staff advised that **any future work must comply with floodplain regulations** and that an updated engineering report would be required.
- The City also issued correspondence stating that **no work could occur until floodplain compliance was addressed**.

3. Good-Faith Reliance and Continuous Effort

- Relying on City guidance, the owner:
 - Retained a licensed professional engineer (Gary Keen, PE),
 - Paid engineering and permit fees,
 - Prepared plans explicitly designed to **reduce floodplain impact**,
 - Worked continuously with City staff to resolve compliance issues.
- At no time did the owner express or demonstrate intent to abandon the use of the property.

4. Nature of the Proposed Work

- The proposal:
 - Removes an existing flood-obstructive structure,
 - Removes non-compliant fencing,
 - Removes an accessory storage building,
 - Replaces the structure with a **FEMA-compliant elevated residence on piers**,
 - Results in **equal or reduced obstruction** to flood flows.
- The project **improves floodplain function**, not worsens it.

BASIS FOR APPEAL

A. Non-Conforming Use Has NOT Been Abandoned

Norman Code §36-505

- Abandonment of a non-conforming use requires **intent**.
- Vacancy alone, especially when caused by **flood damage and City restrictions**, does not constitute abandonment.
- The owner's actions demonstrate:
 - Continuous pursuit of permits,
 - Ongoing engagement with City staff,
 - Financial investment in compliance.
- Therefore, the non-conforming residential use **remains legally intact**.

B. Demolition Required for Compliance Should Not Eliminate Rights

Norman Code §36-508 (Restoration / Repair of Non-Conforming Structures)

- The structure cannot be repaired or elevated safely without demolition due to:
 - Structural instability,
 - Sandy soils and shallow groundwater,
 - Flood damage.
- Demolition is **a necessary step to achieve FEMA compliance**, not a voluntary abandonment.
- Penalizing demolition required for public safety and flood mitigation defeats the purpose of the ordinance.

C. Project Qualifies as Substantial Improvement / Flood Mitigation

NFIP + Local Floodplain Ordinance

- The project:
 - Raises finished floor elevation above BFE,
 - Uses open pier foundations,
 - Minimizes solid obstructions,
 - Improves conveyance of floodwaters.
- FEMA policy **encourages exactly this type of mitigation**.
- Treating this as prohibited "new construction" contradicts flood-risk reduction goals.

D. Hardship and Equity

BOA Authority

- Strict application of zoning interpretation:
 - Prevents any reasonable use of the property,
 - Leaves the lot undevelopable,

- Imposes hardship not shared by neighboring properties.
- The hardship is **not self-created**; it arises from flood conditions and regulatory constraints.
- The Board has authority to grant relief where literal enforcement produces unjust results.

E. Public Interest and Policy Benefit

Approving relief will:

- Reduce flood risk,
- Improve safety,
- Remove debris-catching structures,
- Improve neighborhood conditions,
- Return the property to productive use.

Denial leaves:

- A blighted, flood-damaged lot,
- Continued obstruction risks,
- No path forward.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 1/28/2026

REQUESTER: Steve and Melissa Burgan

PRESENTER: Logan Gray, Planner II

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-10: STEVE & MELISSA BURGAN REQUEST A VARIANCE TO SECTION 36-514(C)(3) OF 6'6" TO THE REQUIRED 20' REAR YARD SETBACK FOR THE PROPERTY LOCATED AT 433 THORTON DRIVE.

APPLICANT	Steve and Melissa Burgan
LOCATION	433 Thorton Drive
ZONING	R-1, Single-Family Dwelling District
REQUESTED ACTION	Variance to Section 36-514(c)(3) of 6' 6" to the required 20' rear yard setback for an addition to the existing primary structure
SUPPORTING DATA	Location map and aerials Application with attachments Site Plan Floor Plan

SYNOPSIS:

This application concerns a proposed addition to an existing single-family dwelling. The applicant is requesting a variance of 6' 6" to allow for a rear yard setback of 13' 6" rather than the required 20' minimum rear yard setback for primary structures.

The variance being requested is as follows:

1. A variance to Section 36-514(c)(3) of 6' 6" to the required 20' rear yard setback for an addition to the existing primary structure.

The application, variance justification form, site plan, and floor plans provided by the applicant are attached for review. Also attached, and provided by City Staff, are available aeriels relating to the property.

APPLICABLE ZONING ORDINANCE PROVISIONS:

Section 36-514(c)(3):

Rear yard.

There shall be a rear yard having a depth of not less than 20 feet or 20 percent of the depth of the lot, whichever amount is smaller; unattached one-story buildings of accessory use, including ADUs, shall set back one foot from the utility easement or alley line.

VARIANCE CRITERIA PER NCC SECTION 36-570(k):

A variance is a “relaxation of the terms of” the Zoning Ordinance that may be allowed where it is not contrary to the public interest and literal enforcement would result in **unnecessary hardship** to the applicant. From the terms of this ordinance, a variance 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.

Where an applicant has demonstrated an unnecessary hardship, variances should be narrowly tailored by the Board of Adjustment so as to only alleviate the hardship and not confer special privileges upon the applicant.

DISCUSSION:

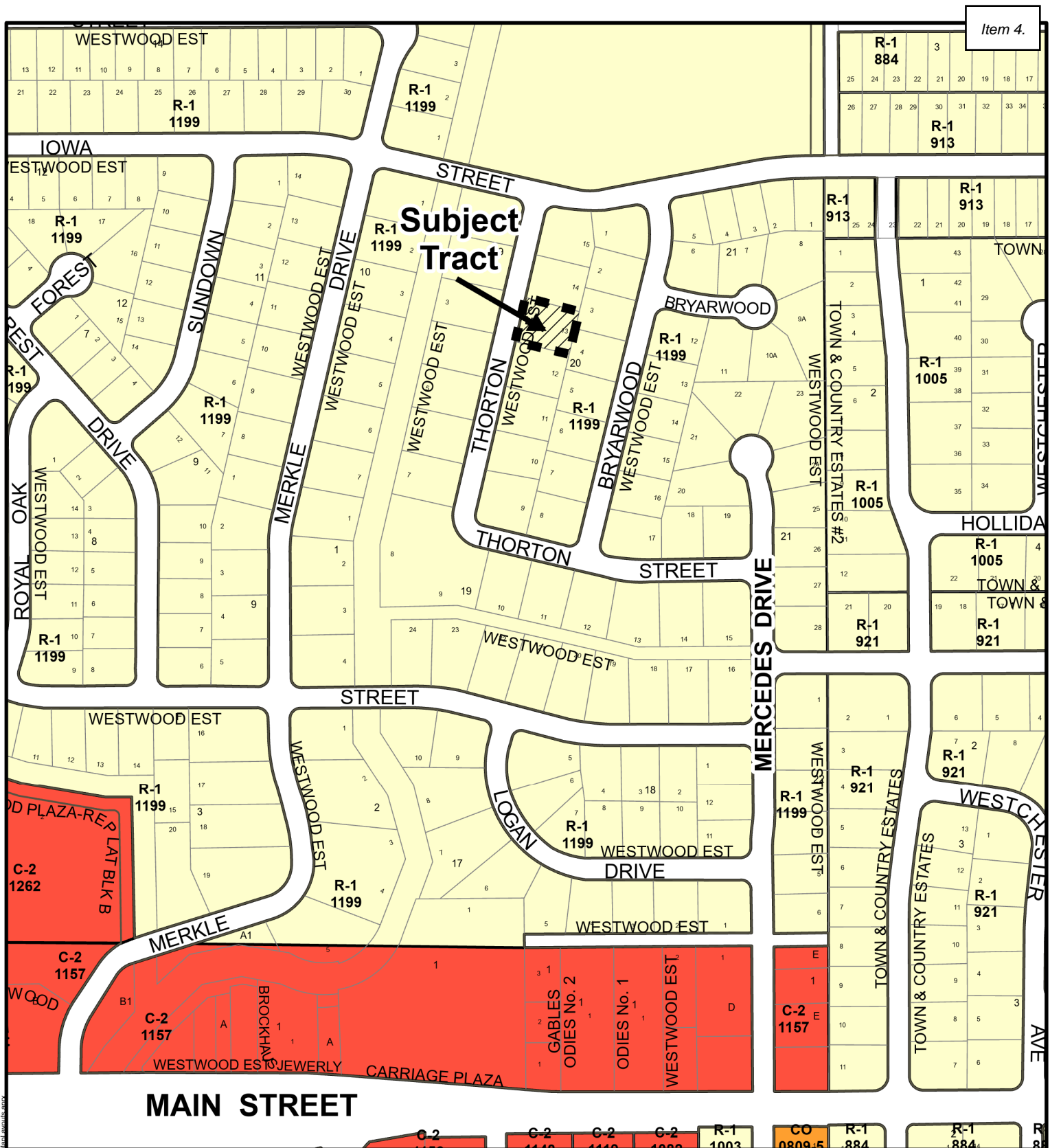
The subject property, 433 Thorton Drive, is located in the Westwood Estates subdivision. The existing dwelling was constructed in 1966 and currently meets the required 20' rear yard setback. The applicants propose an approximately 1,200 SF addition to the existing dwelling. The proposed addition meets the development regulations of the R-1, Single-Family Dwelling District, except for the 20' rear setback for single-family dwellings, which it encroaches on by 6' 6".

The proposed addition to the existing dwelling includes a bedroom, bathroom, wet bathroom with access to pool area, closet space, safe room, and a covered porch. As shown on the site plan, the proposed addition encroaches into the required 20' rear yard setback by 6' 6". The applicant's submission materials state that the requested variance is necessary to allow for the "Aging in Place" elements of the addition. The applicants further state that the existing dwelling cannot be retrofitted with "Aging in Place" accommodations without "substantial financial and loss of use hardship," citing that halls, doorways, and shower entrances are too narrow.

Staff recognizes and understands the goals to accommodate "Aging in Place" measures; however, construction to create the accommodations must still comply with adopted zoning regulations. Staff does not find that these circumstances constitute a hardship as defined in Section 36-570(K).

CONCLUSION:

Staff recommends denial of this request for a variance to Section 36-514(c)(3) and BOA-2526-10.



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.



January 6, 2026

0 150 300 Ft.



Subject Tract



March 2025 Aerial Photography



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.



January 23, 2026

0 10 20 Ft.
| | |

433 Thorton Aerial
December 11, 2025





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

APPLICANT(S) Steve and Melissa Borgan	ADDRESS OF APPLICANT 433 Thorton Dr., Norman, OK 73069
NAME AND PHONE NUMBER OF CONTACT PERSON(S) Steve Borgan (405)226-1478 Melissa Borgan (405)514-5505	EMAIL ADDRESS asidok1@cox.net

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)

Westwood Estates S95' LOT 13 & N5' LOT 12 BLK 20

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):

We are requesting a variance of 6'-6" from the East (Rear) setback of 20'.

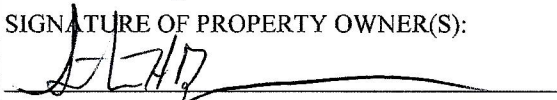
The build we are requesting would have minimal encroachment to the property line with no encroachment onto the utility easments.

This build will be inline with similar builds close to property lines in the surrounding area.

*Submitted 12-22-25 Revised 1-11-26 Per City Request

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

SIGNATURE OF PROPERTY OWNER(S):



ADDRESS AND TELEPHONE:

433 Thorton Dr., Norman OK 73069

(405)226-1478

(405)514-5505



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- ☐ 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 rnt



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:

There is a special circumstance for the building addition involved. Precedence has been set for prior applications where encroachment was as much as 10' into the 20' setback.

We are asking for 6' in order to preserve our design features to accommodate the Aging in Place elements of our addition.

Attest

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

The current city codes allow for building garages and other structures even closer to property lines as we have observed in our own neighborhood but deprive the homeowner the ability to construct an Aging in Place room addition encroaching by the slightest of margins.

Attest

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

We ask the Board of Adjustment to grant a variance to code 36-514 (C)(3) of 6-6 in order to construct an Aging in Place room addition tied to our existing 1966 home which cannot be successfully modified to accommodate the needs of aging or handicapped individuals without substantial financial and loss of use hardship. Hallways are too narrow, entrances to bedroom too narrow, openings to showers are too narrow. Existing showers do not allow for helpers to assist in a reasonable & safe manner.

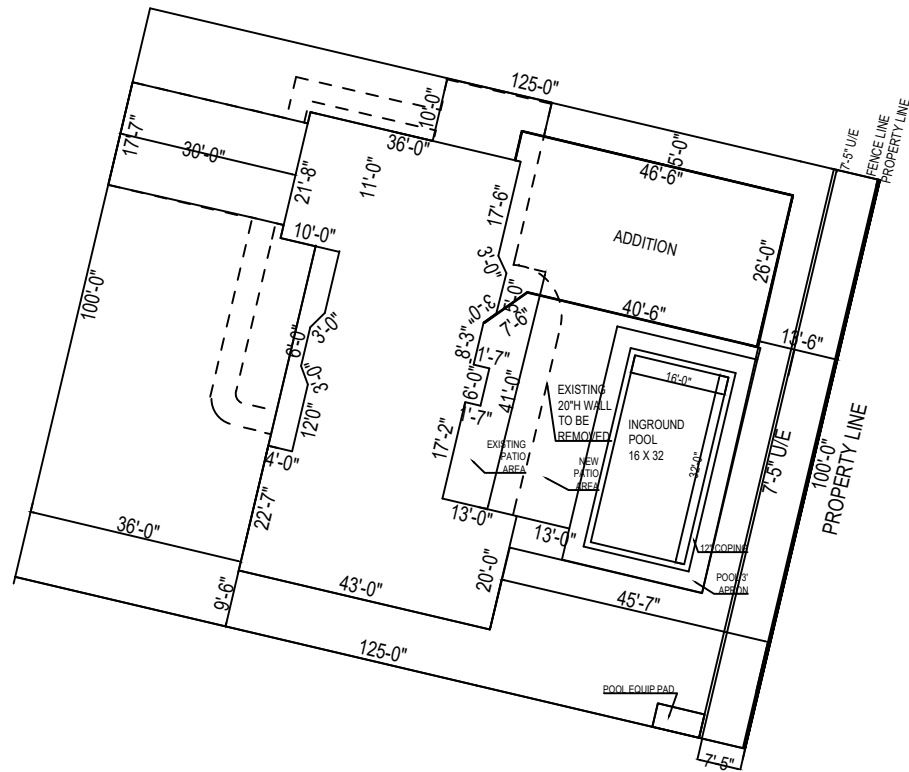
Attest

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:

Granting this variance will not give the applicant any special privilege over any other property,

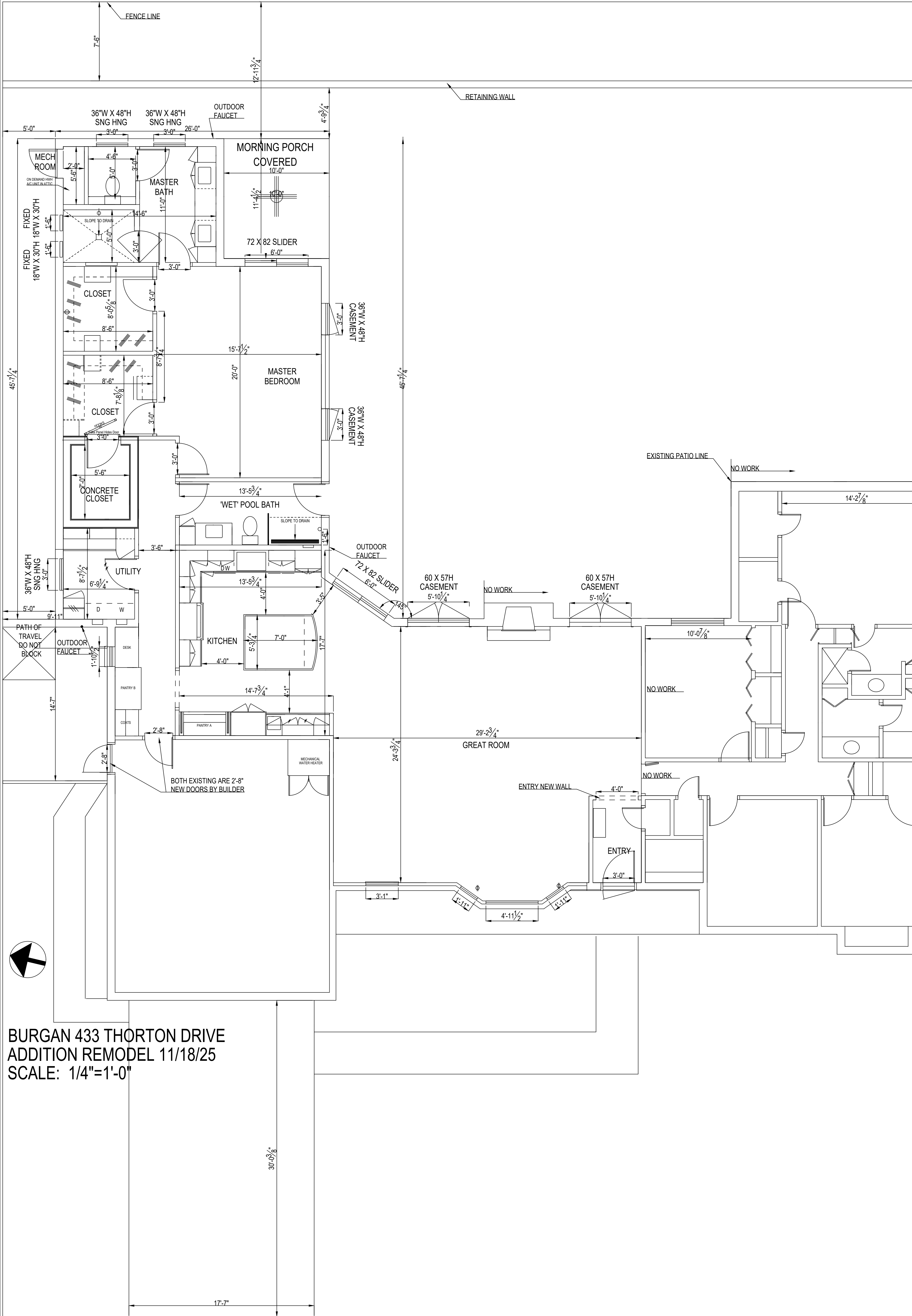
Attest

BURGAN 433 THORTON DRIVE
ADDITION/REMODEL 1-08-26



SCALE: 1/32=1'-0"
COVERAGE TOTAL: 6,555 SQ FT (54%)







CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 1/28/2026

REQUESTER: Brad Ashford

PRESENTER: Logan Gray, Planner II

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-9: BRAD ASHFORD REQUESTS A VARIANCE TO SECTION 36-514(D)(2) TO ALLOW AN ACCESSORY BUILDING WHICH EXCEEDS THE HEIGHT OF THE PRINCIPAL BUILDING BY 6 FEET FOR THE PROPERTY LOCATED AT 2640 OSBORNE DRIVE.

APPLICANT	Brad Ashford
LOCATION	2640 Osborne Dr
ZONING	R-1, Single-Family Dwelling District
REQUESTED ACTION	Variance to Section 36-514(d)(2) to allow an accessory building which exceeds the height of the principal building by 6'
SUPPORTING DATA	<p>Location map and aerials</p> <p>Application with attachments</p> <p>Site Plan</p> <p>Building Elevations</p>

SYNOPSIS:

This application concerns a proposed accessory building. The applicant is requesting a variance of 6' to allow an accessory building (20') which exceeds the height of the principal building (14') on the lot.

The variance being requested is as follows:

1. A variance to Section 36-514(d)(2) of 6' to allow an accessory building which exceeds the height of the principal building.

The application, variance justification form, site plan, and building elevations provided by the applicant are attached for review. Also attached, and provided by City Staff, are available aeriels relating to the property.

APPLICABLE ZONING ORDINANCE PROVISIONS:

Section 36-514(d)(2):

Any accessory building, including an ADU, shall not exceed a wall height of ten feet unless the required side and rear yard setbacks are increased by one foot for each additional foot of wall height above ten feet; provided, however, that **no accessory building shall exceed the height of the principal building to which it is accessory.**

VARIANCE CRITERIA PER NCC SECTION 36-570(k):

A variance is a “relaxation of the terms of” the Zoning Ordinance that may be allowed where it is not contrary to the public interest and literal enforcement would result in **unnecessary hardship** to the applicant. From the terms of this ordinance, a variance 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.

Where an applicant has demonstrated an unnecessary hardship, variances should be narrowly tailored by the Board of Adjustment so as to only alleviate the hardship and not confer special privileges upon the applicant.

DISCUSSION:

The subject property, 2640 Osborne Drive, is located in the Normandy Acres First subdivision. The existing single-family dwelling was constructed in 1961 and there are currently no accessory buildings on the property. The applicant proposes a 1,200 SF accessory building with an overall height of 20'. The proposed accessory building meets all setback and coverage requirements of the R-1, Single-Family Dwelling District.

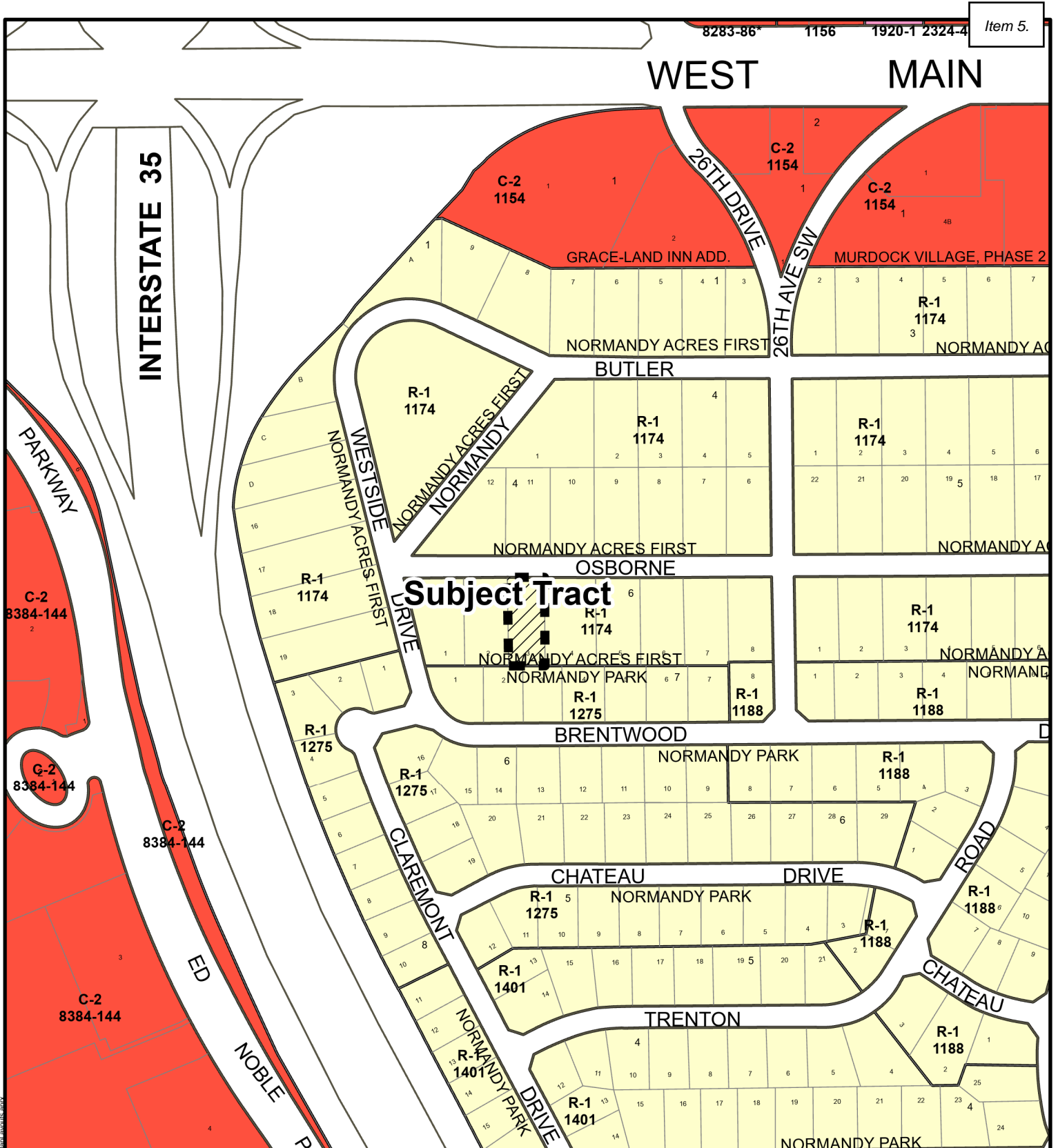
The proposed accessory building's height of 20' exceeds the height of the property's principal building by 6'. The applicant's submission materials state that a 20' height is necessary to

accommodate modern building designs and truss systems, functional interior space for the use and storage of vehicles and tools, modern garage door heights, and structural load requirements.

The applicant further states that the relatively low, 14' profile of the principal building is the only factor preventing the placement of an accessory building that would otherwise be allowed and may be found throughout Norman. While similarly sized accessory buildings are common throughout Norman, an accessory building of 20' in height would not be allowed on most of the lots surrounding the subject property, where few principal building heights exceed 20'. If allowed, the proposed accessory building would be taller than most of the surrounding single-family dwellings.

CONCLUSION:

Staff recommends denial of this request for a variance to Section 36-514(c)(3) and BOA-2526-09.



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.



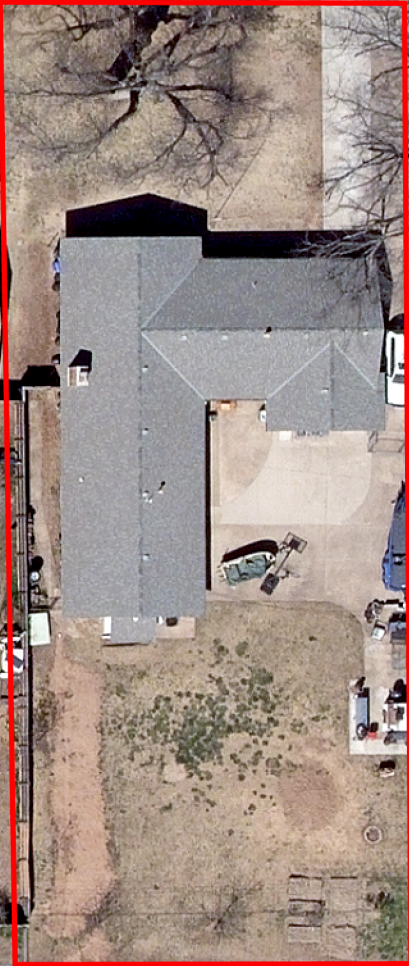
January 6, 2026

0 150 300 Ft.



Subject Tract

OSBORNE DR



March 2025 Aerial Photography



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.



January 23, 2026

0 20 40 Ft.



Application for Variance or Special Exception
BOARD OF ADJUSTMENT

Case No. BOA _____

Item 5.

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

APPLICANT(S) Brad Ashford	ADDRESS OF APPLICANT 2640 Osborne Drive Norman, OK 73069
NAME AND PHONE NUMBER OF CONTACT PERSON(S) Brad Ashford 405 204-7040	EMAIL ADDRESS ashfordinvestments@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)

W85' of Lot 3, BLK 6 of Normandy Acres to City of Norman

Requests Hearing for:

☒ VARIANCE from Chapter 36, Section 514 R-1(d)(2)

☐ SPECIAL EXCEPTION to _____

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

Please see attached sheets.

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

SIGNATURE OF PROPERTY OWNER(S):

ADDRESS AND TELEPHONE:

2640 Osborne Drive

Norman, OK 73069

405 204-7040

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: _____

12/29/2025

City of Norman Board of Adjustment

Re: Variance Request – Accessory Structure Height (20' Shop)

Ordinance Reference: Chapter 36, Section 514 (d)(2)

Dear Members of the Board,

I respectfully submit this justification in support of a variance to Chapter 36, Section 514(d)(2) of the City of Norman Zoning Ordinance, which provides that “*no accessory building shall exceed the height of the principal building to which it is accessory.*” This request is necessary to permit construction of a 20-foot-tall accessory shop building, where the principal structure is a 14-foot-tall 1960 ranch-style home.

Due to the specific functional requirements of the accessory shop and the age, design, and modest height of the existing residence, strict enforcement of the ordinance would create unnecessary hardship while providing no meaningful public benefit. The rationale for this request is detailed below.

1. Unique Site and Structural Conditions Create a Practical Difficulty

The existing 1960 ranch-style home is approximately 14 feet in height, significantly shorter than what is typical of modern homes with taller roof pitches. This architectural style is historically low-profile and inherently limits the allowable height of accessory structures under Section 514(d)(2).

However, the proposed 20-foot shop building requires this height due to:

- Modern engineered metal building standards and truss systems that require additional vertical clearance;
- Safe and functional interior space for equipment, vehicles, tools, lifts, and storage;
- Standard door heights for shops, which often require 12–14 feet of clearance;
- Structural load requirements that cannot be met with a significantly shorter building.

These conditions are not self-created but stem from the home’s original construction era and the functional realities of a modern shop.

2. No Adverse Impact on Adjacent Properties or Public Welfare

Allowing the shop to reach a height of 20 feet will not negatively affect surrounding properties or the public for the following reasons:

- The shop will be located in a manner that preserves appropriate setbacks and avoids encroachment on neighboring properties;
- The proposed height is consistent with other shop and outbuilding heights commonly found in Norman;
- Existing vegetation, fencing, or distance from roadways will reduce visual impact;
- The increased height does not increase traffic, noise, or intensity of use;
- The accessory structure will remain clearly subordinate in use, even if taller in roofline.
- There is no harm to neighboring property values, and no impairment to public safety or welfare.

3. The Spirit and Intent of the Ordinance Are Maintained

The goal of Section 514(d)(2) is to ensure that accessory structures do not visually dominate the principal residence or disrupt community character. This variance respects that intent because:

- The 20-foot shop, while taller, will not function or appear as a second primary residence;
- The structure's placement and orientation will minimize visual competition with the house;
- The shop is designed strictly for storage and workshop purposes, not habitation or commercial activity;
- The massing and design are compatible with the surrounding area, where similar shop heights are common and appropriate.

Consequently, the proposed structure remains consistent with the spirit of the ordinance.

4. The Variance Represents the Minimum Necessary Relief

The requested 20-foot height is the lowest feasible measurement that still:

- Meets metal building manufacturer specifications;
- Allows practical interior clearance for tools, equipment, or vehicle storage;
- Ensures proper door height and structural performance;
- Provides adequate roof pitch for drainage and long-term durability.

Reducing the height below 20 feet would compromise functionality and force non-standard engineering solutions that would significantly increase cost and reduce utility.

5. Strict Application Causes Hardship Without Public Benefit

Enforcing a maximum height of 14 feet (to match the home) would:

- Render the shop unable to serve its intended and reasonable use;
- Prevent standard roll-up door installation;
- Make it impossible to store taller vehicles, trailers, or equipment;
- Limit structural integrity and reduce long-term performance;
- Create disproportionate cost for custom, low-height engineering.

These hardships do not result in any corresponding public benefit, as the ordinance's objectives remain satisfied even with the variance.

I respectfully request approval of the variance to Chapter 36, Section 514(d)(2) to allow construction of a 20-foot accessory shop. The request is based on functional necessity, maintains the intent of the ordinance, protects surrounding properties, and represents the minimum deviation required to allow reasonable use of the property.

Thank you for your time and consideration.

Best regards,



Brad Ashford



CERTIFICATION OF OWNERSHIP

Case No. BOA _____

Item 5.

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

DATE: 12/29/2025

I, **Brad Ashford**, 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:

The West 85 feet of Lot Three (3), in Block Six (6), of Normandy ^{B39} ~~Park~~ Acres First Subdivision, to Norman, Cleveland County, Oklahoma

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: *Brad Ashford*

Address: 2640 Osborne Drive

Agent's Signature: _____

Address: _____

NOTARY

Before me, the undersigned, a Notary Public in and for the State of Oklahoma, on this 29th day of December, 2025, personally appeared Brad Ashford, 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:

Zac X. Loeffler
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 5.

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:

Please see attached.

Attest

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

Please see attached.

Attest

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

Please see attached.

Attest

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:

Please see attached.

Attest

A. Special Conditions or Circumstances Peculiar to the Property

The subject property contains a one-story ranch-style home built in the 1960s with an **approximately 14-foot ridge height**, which is significantly lower than the typical ridge height of residential homes constructed under current standards. This existing structural condition is **peculiar to the property** and is not generally applicable to other properties in the same zoning district.

The low ridge height results from the original architectural style and era of construction and is not reflective of current residential design practices. This condition limits compliance with Section 36-514(d)(2) of the Norman Zoning Ordinance and creates a unique situation that is not shared by most properties in the district.

Strict compliance with this provision, without relief, would prevent a reasonable accessory structure from being constructed on the property due solely to the pre-existing condition of the principal structure.

B. Literal Interpretation Would Deprive the Applicant of Rights Enjoyed by Others in the Same District

Literal interpretation of the ordinance would deprive the applicant of rights commonly enjoyed by other property owners in the same zoning district. Many properties with taller principal structures are able to construct accessory buildings with heights similar to the one proposed (20 feet) without the need for a variance.

Due to the unusually low ridge height of the existing residence, strict enforcement of the ordinance would place the subject property at a distinct disadvantage compared to other properties in the same district, restricting a reasonable and functional use that is otherwise permitted.

C. Special Conditions or Circumstances Do Not Result from the Actions of the Applicant

The special conditions described do not result from actions taken by the applicant. The existing height of the principal structure was established prior to the applicant's ownership and reflects the original design of the home. The applicant has not modified the principal building in a way that would create or exacerbate the need for this variance.

Thus, the circumstances necessitating the variance are due to the existing structure's configuration and not due to any deliberate act of the current property owner.

D. Granting the Variance Will Not Confer a Special Privilege

Granting of the variance requested will not confer on the applicant any **special privilege that is denied to other lands, structures, or buildings in the same district**. The proposed 20-foot height for the accessory building is consistent with accessory structure heights typically permitted on properties with taller principal structures.

Approval of this variance would allow the applicant to enjoy development rights similar to those available to other property owners in the same district. It would not change the property's zoning classification, density, intensity of use, or introduce an incompatible structure.

7'-6"
Utility
Easement

ADJUST F/I
PIZZA PVL
LOCATION
NEW PAVEMENT

7'

3070

1210120

180120

3030FX

3030FX

NEW
SHOP/GARAGE
39'-4" X 29'-4"

1210100

40'

11'

30'

85'

12'-6"

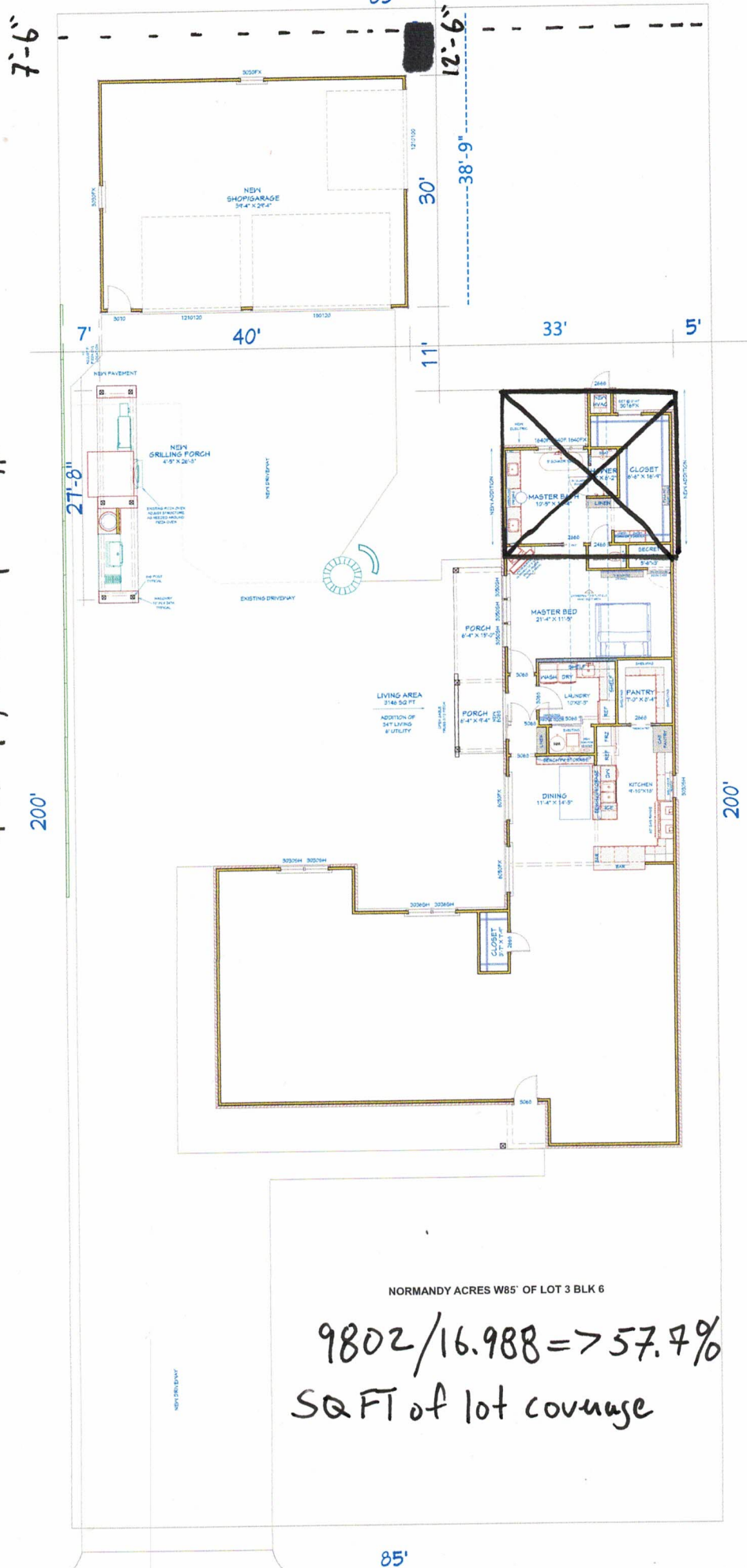
38'-9"

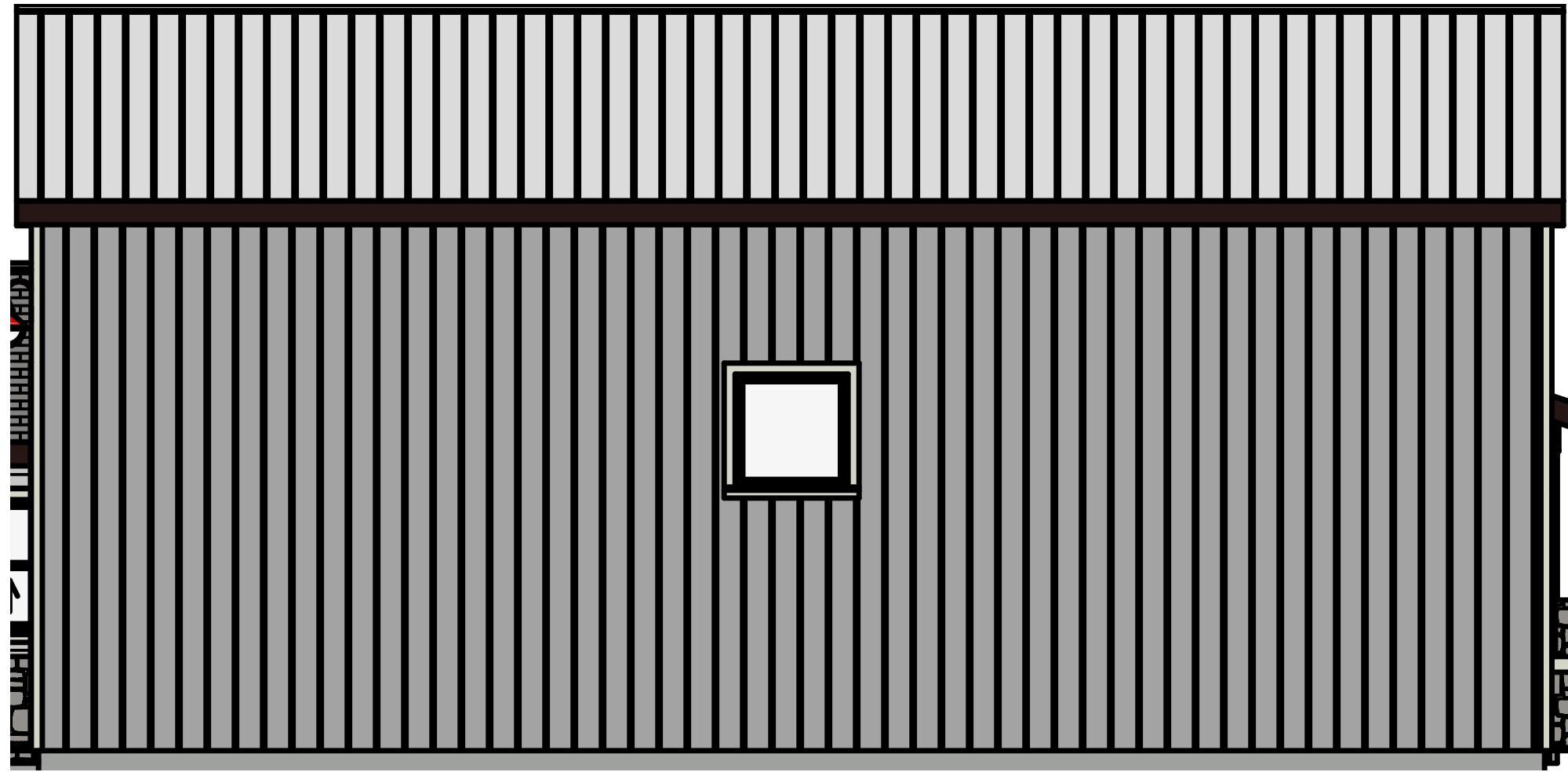
33'

NORTH

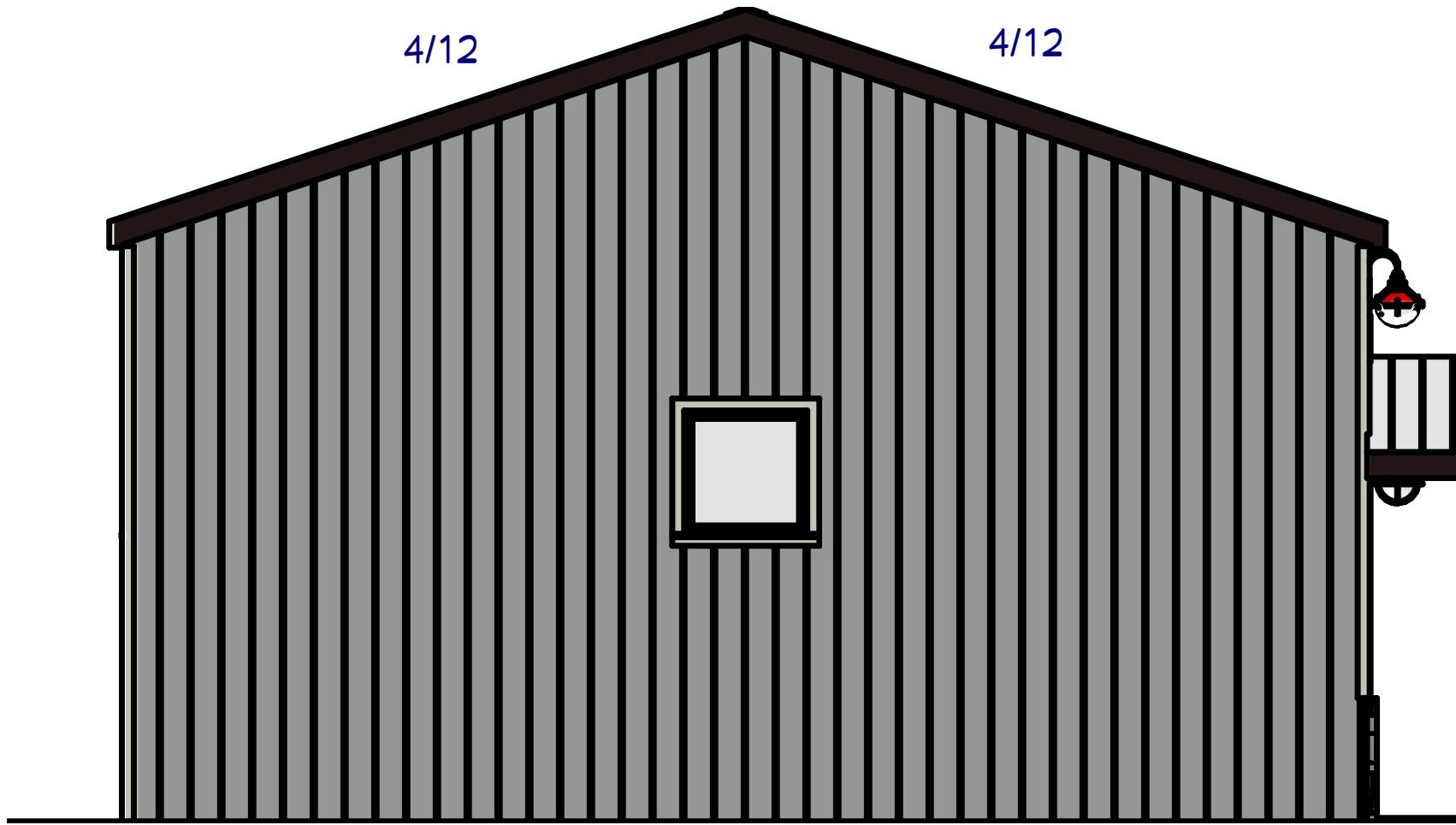
5'

* written not to scale

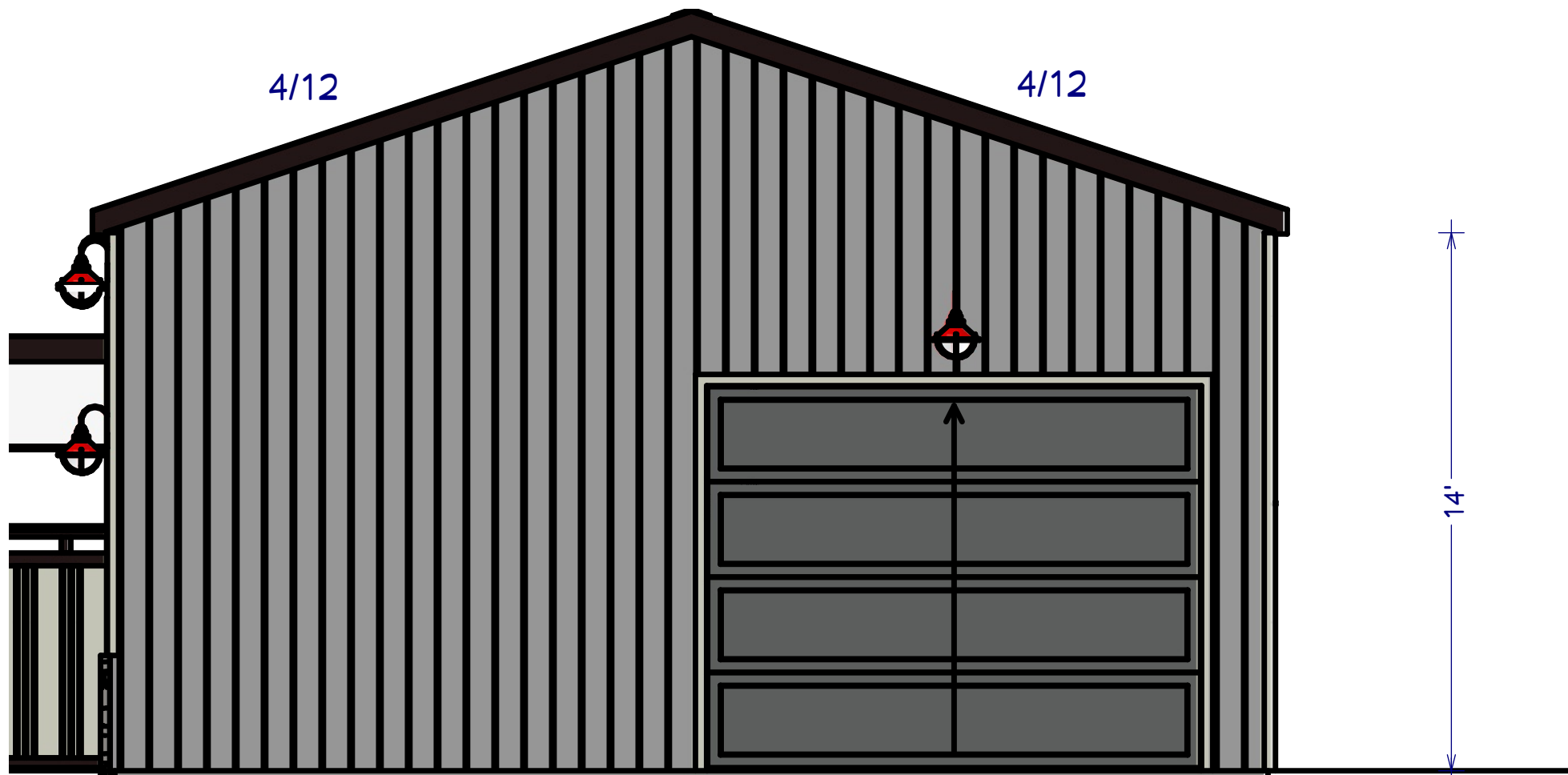




SOUTH VIEW



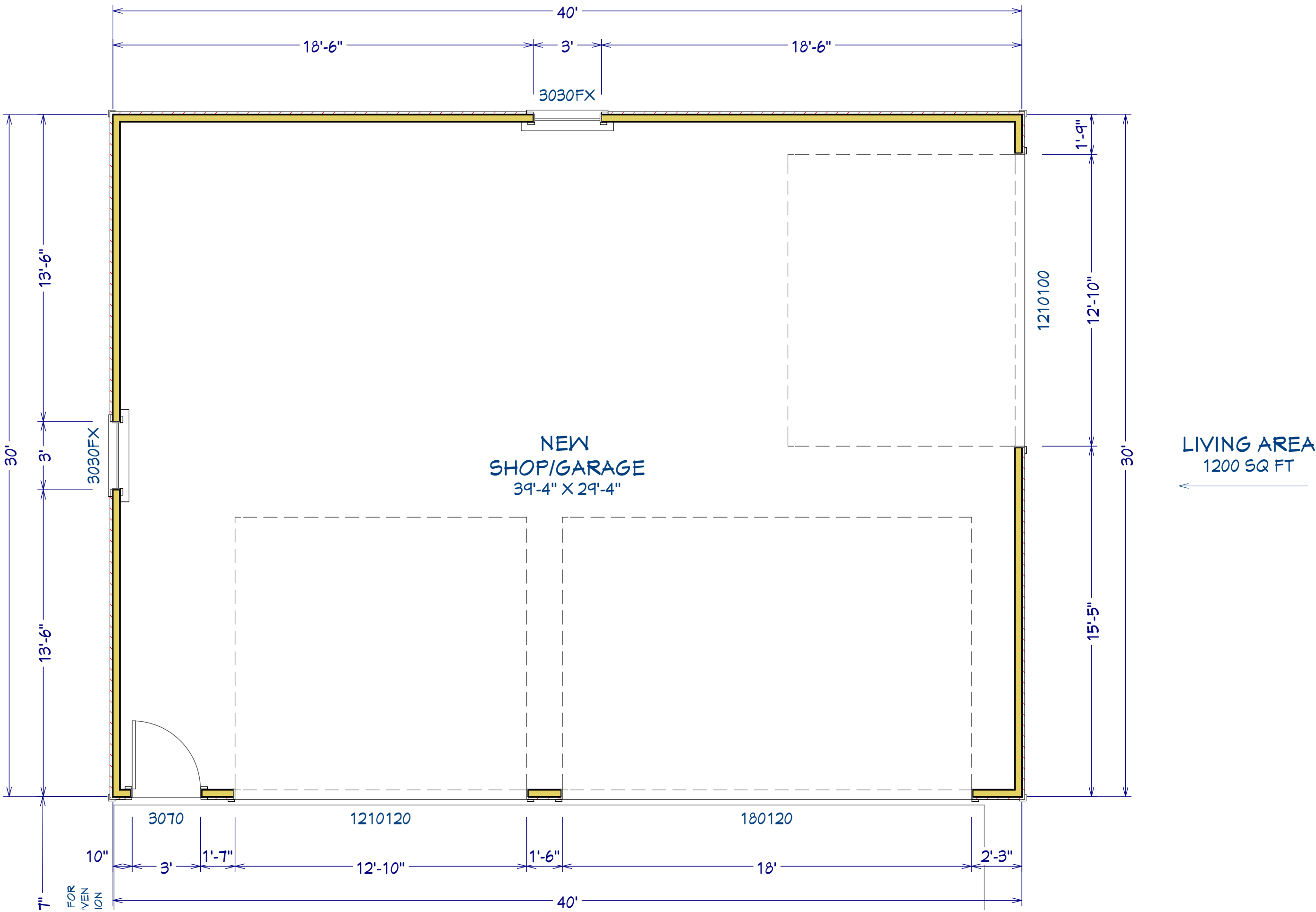
EAST VIEW



WEST VIEW



NORTH VIEW



FLOOR PLAN

SEE STEEL MANUFACTURERS PLANS
FOR STRUCTURE & FOUNDATION PLANS

January 20, 2026

FILED IN THE OFFICE
OF THE CITY CLERK

ON 01/22/26-XW

To the Board of Adjustment:

I am writing in response to the letter I received dated January 13, 2026, titled "*Notice of Request for Variance*," regarding the property located at **2640 Osborne Drive**.

After reviewing the notice, I have several concerns that I respectfully request be addressed:

1. Privacy concerns due to building height:

Given the proposed height of the structure, I am concerned that windows or deck(s) may be installed that could result in a loss of privacy for surrounding neighbors. Specifically, windows or elevated deck areas could allow residents of 2640 Osborne Drive to look directly into neighboring backyards and windows.

2. Potential light pollution:

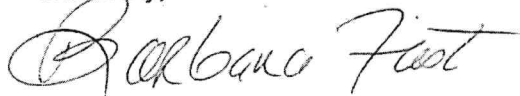
I am also concerned about possible light pollution from exterior light fixtures attached to or affixed above the structure. Such lighting could negatively impact neighboring yards and residences, particularly during evening and nighttime hours.

3. Location of the structure on the property:

The notice does not specify the exact placement of the structure within the yard. It is unclear whether the structure is attached to the existing house or positioned close to neighboring property lines and fences. Clarification on this point is important, as proximity to property lines could significantly affect adjacent properties.

Thank you for your consideration of these concerns. I appreciate the opportunity to provide input and would welcome further clarification regarding the proposed variance.

Sincerely,



Dr. Barbara Fast

2681 Brentwood Drive. Norman, OK, 73069



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 1/28/2026

REQUESTER: City of Norman

PRESENTER: Lora Hoggatt, Planning Services Manager

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF: A RATIFICATION OF THE DECEMBER 10, 2025 BOARD OF ADJUSTMENT VOTE APPROVING A VARIANCE TO SECTION 36-513(D)(1)(A) OF 28' TO THE REQUIRED 50' FRONT YARD SETBACK FOR THE PROPERTY LOCATED AT 7338 BRENDA (BERENDA) CIRCLE.

APPLICANT	City of Norman
LOCATION	7338 Brenda Circle
ZONING	RE, Residential Estate Dwelling District
REQUESTED ACTION	Ratification of Variance to Section 36-513(d)(1)(a) of 28' to the required 50' front yard setback
SUPPORTING DATA	Location Map December 10, 2025 BOA Staff Report Application with Attachments Variance Request Survey Cleveland County Clerk Ownership Certification 1973 Plat of East Oaks No. 1 Addition Minutes from December 10, 2025 Meeting

SYNOPSIS:

This application concerns a single-family dwelling that was constructed in 1974. The dwelling was constructed 22.15' from the street right-of-way line; however, the applicable front setback for this parcel is 50' from the street right-of-way line. The placement of the dwelling has resulted in an encroachment of 27.85' from the street right-of-way line. The dwelling has changed owners

several times since construction in 1974, and at least four times since 2007, as demonstrated by available public county records. To bring the dwelling into conformity with the Zoning Ordinance, the applicant requested a variance from the Board of Adjustment.

The variances originally requested and advertised was:

1. A variance to Section 36-513(d)(1)(a) of 2.85' to the required 50' front yard setback.

However, upon further review of this application, it was discovered that the original advertisement was incorrectly based on the dwellings' location from the property line, rather than from the street right-of-way line located 25' deep into the northern portion of the subject lot (see Survey). Thus, in order to address the correct setback line, on December 10, 2025 the BOA ultimately granted a variance as follows:

1. A variance to Section 36-513(d)(1)(a) of 28' to the required 50' front yard setback conditioned upon corrected noticing and a ratification at the next regular BOA meeting.

APPLICABLE ZONING ORDINANCE PROVISIONS:

The December 10, 2025 staff report, setting forth applicable regulations, is included for review with this item.

DISCUSSION:

Since the December 10, 2025 grant of a 28' variance as set forth above, corrected notices have been advertised and sent to surrounding property owners in compliance with City Code. This matter is placed upon this, the next regular BOA agenda, for the referenced ratification vote.

CONCLUSION:

Staff recommends the ratification of the December 10, 2025 vote to approve BOA-2526-6, a variance of 28' to the front building line for the principal dwelling on the subject property, subject to Section 36-513(d)(1)(a).

PUD
9798-54

A-2
1322

A-2
1322

STATE HWY 9

CADDELL ESTATES COS

CADDELL ESTATES COS

CADDELL ESTATES COS

72ND AVE-SE

A-2
1322

BRENDA CIRCLE

RE
7273-42
Subject Tract

COONOO ADDITION COS

COONOO ADDITION COS

COONOO ADD COS LOTS 2A & 3A

A-2
1322

RE
7677-77

ALLSPICE

GINGER DRIVE

CINNAMON RUN

RE
8283-42

COONOO ADD COS LOTS 2A & 3A

BLUE RIDGE #2
BLUE RIDGE ACRES

RE
8485-7

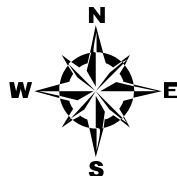
RE
8283-42

NUTMEG

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.



November 24, 2025

0 200 400 Ft.



Subject Tract



BRENDA CIR

March 2025 Aerial Photography



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.



January 23, 2026

0 30 60 Ft.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 12/10/2025

REQUESTER: Allison Basden & Lawrence Basden Jr.

PRESENTER: Justin Fish, Planner I

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-7: ALLISON BASDEN & LAWRENCE BASDEN JR. REQUESTS A VARIANCE TO SECTION 36-513(D)(1)(A) OF 2.85' TO THE REQUIRED 50' FRONT YARD SETBACK FOR THE PROPERTY LOCATED AT 7338 BRENDA (BERENDA) CIRCLE.

APPLICANT	Allison Basden & Lawrence Basden Jr.
LOCATION	7338 Brenda Circle
ZONING	RE, Residential Estate Dwelling District
REQUESTED ACTION	Variance to Section 36-513(d)(1)(a) of 2.85' to the required 50' front yard setback
SUPPORTING DATA	Location Map Application with Attachments Variance Request Survey Cleveland County Clerk Ownership Certification 1973 Plat of East Oaks No. 1 Addition

SYNOPSIS:

This application concerns a single-family dwelling that was constructed in 1974. The dwelling was constructed 22.15' from the street right-of-way line; however, the applicable front setback for this parcel is 50' from the street right-of-way line. The placement of the dwelling has resulted in an encroachment of 27.85' from the street right-of-way line. The dwelling has changed owners several times since construction in 1974, and at least 4 times since 2007, as demonstrated by available public county records. To bring the dwelling into conformity with the Zoning Ordinance, the applicant has requested a variance from the Board of Adjustment.

The requested variances as advertised are as follows:

1. A variance to Section 36-513(d)(1)(a) of 2.85' to the required 50' front yard setback.

However, upon further review of this application, it was discovered that the original advertisement was incorrectly based on the dwellings' location from the property line, rather than from the street right-of-way line located 25' deep into the northern portion of the subject lot (see Survey). Thus, in order to address the correct setback line, staff is recommending the BOA consider a variance as follows:

1. A variance to Section 36-513(d)(1)(a) of 27.85' to the required 50' front yard setback.

The application, site plan, and the variance justification form provided by the applicant are attached for your review.

APPLICABLE ZONING ORDINANCE PROVISIONS:

Section 36-513(d)(1)(a):

(d)(1) *Front yard*. All buildings shall be set back from street right-of-way lines to comply with the following front yard requirements:

- a. The minimum depth of the front yard shall be 50 feet.

VARIANCE CRITERIA PER NCC SECTION 36-570(k):

A variance is a "relaxation of the terms of" the Zoning Ordinance that may be allowed where it is not contrary to the public interest and literal enforcement would result in **unnecessary hardship** to the applicant. For the purposes of the Norman Zoning ordinance, "the term 'hardship' means a hardship peculiar to the property of the applicant that is **of such a degree of severity that its imposition is not necessary to carry out the spirit of this chapter and that would amount to substantial and unnecessary waste of the property**. From the terms of this ordinance, a variance shall not be granted by the Board of Adjustment unless and until the required hardship has been demonstrated based upon evaluation of the following factors:

- (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.

Where **hardship and uniqueness** are demonstrated, variances **must be narrowly tailored** so as to only alleviate the hardship and not confer special privileges upon the applicant.

Additionally, the existence or non-existence of protest by neighboring property owners may present facts that can be considered in establishing the necessary variance factors, namely and second and fourth factor above, but is not dispositive in any case.

DISCUSSION:

The subject property is located within the East Oaks Addition, which was platted in 1973. As platted, this subdivision is accessed by a 50' private drive (dedicated in conjunction with necessary underground utility easements, see Survey). The center of the platted private drive constitutes the property lines of lots located to both the north and south of the drive, resulting in right-of-way lines 25' deep into the northern portion of the subject lot.

This Addition consists of single-family dwellings zoned RE, Residential Estate Dwelling District, which requires that the front setback be measured from the street right-of-way line. Measuring 50' from this street right-of-way line, the setback/build line is ultimately located 75' deep into the lot itself. The applicants have owned the subject property since 2015, and according to public records the property has changed ownership at least three times prior to their ownership since construction. While attempting to complete a sale of the subject property the prospective buyer was denied title insurance due to the dwelling being considered a non-conforming structure. The applicant has submitted a certified survey showing the existing dwelling to be a distance of 22.15' from the street right-of-way line. This results in an encroachment of the front yard setback of 27.85'.

As addressed by applicant in its response to the variance justification factors, and as is apparent from public historical records, this home was originally built in its current location. As such, applicable factual records support the applicant's assertion that the requested variance need did not result from applicant's actions, but occurred several years prior to applicant's ownership of the property. Additionally, public records also make it clear that this issue passed, apparently unnoticed, through multiple ownership changes prior to applicant's ownership, indicating potential hardship through loss of prior investment by applicant in the property itself. Granting of the requested variance would also not appear to indicate harm to the surrounding properties in light of the more than 50 years that have passed since placement of the home in its current location. Further, granting a variance would allow the applicant to sell the property, a right commonly enjoyed by other properties, and several previous owners of this same property, in the same zoning district.

Additionally, following original advertisement, it was discovered that 25' additional variance was required by applicant for the main dwelling in order to account for the street right-of-way line's 25' encroachment into the property. City staff therefore proposes BOA's consideration of approval of a 27.85' variance.

CONCLUSION:

Staff recommends approval of BOA-2526-6, a request for a variance of 27.85' to the front building line for the principal dwelling on the subject property, subject to Section 36-513(d)(1)(a).



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) Allison A Basden & Lawrence A Basden, Jr.	ADDRESS OF APPLICANT 7338 Brenda Circle Norman, OK 73026
NAME AND PHONE NUMBER OF CONTACT PERSON(S) Allison Basden 405-990-0220 Jim West: 405-760-7849	EMAIL ADDRESS aabasden72@gmail.com jimwest@dillardcies.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 6, Block 1, East Oaks 1 Norman, OK 73026

Requests Hearing for:

☒ VARIANCE from Chapter 36, Section 513 (d)(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:

Selling the house. When home was built in 1974, it was built over the 50' build line. This violation is preventing the buyer from obtaining title insurance. Requesting a variance of 2.85 feet to the required 50 foot front yard set back.

SIGNATURE OF PROPERTY OWNER(S):

ADDRESS AND TELEPHONE:

7338 Brenda Circle

Norman, OK 73026

405-990-0220

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

Case No. BOA _____

Item 6.


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

DATE: November 21, 2025

I, Allison A Basden & Lawrence A. Basden, Jr., 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:

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: 

Address: 7338 Brenda Circle Norman, OK. 72026

Agent's Signature: _____

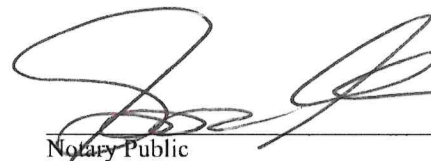
Address: _____

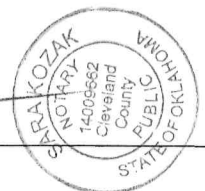
NOTARY

Before me, the undersigned, a Notary Public in and for the State of Oklahoma, on this 22 day of NOV, 2025, personally appeared Allison Basden & Lawrence Basden Jr., 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: 10-23-26


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 6.

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:

Yes my house was built in the wrong place in 1974 as well as other houses.

Attest

AAB LAB

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

Yes, house was originally built and encroaching set back.

Attest

AAB LAB

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

Yes. Home was built in 1974. It has passed title 5 additional times

Attest

AAB LAB

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:

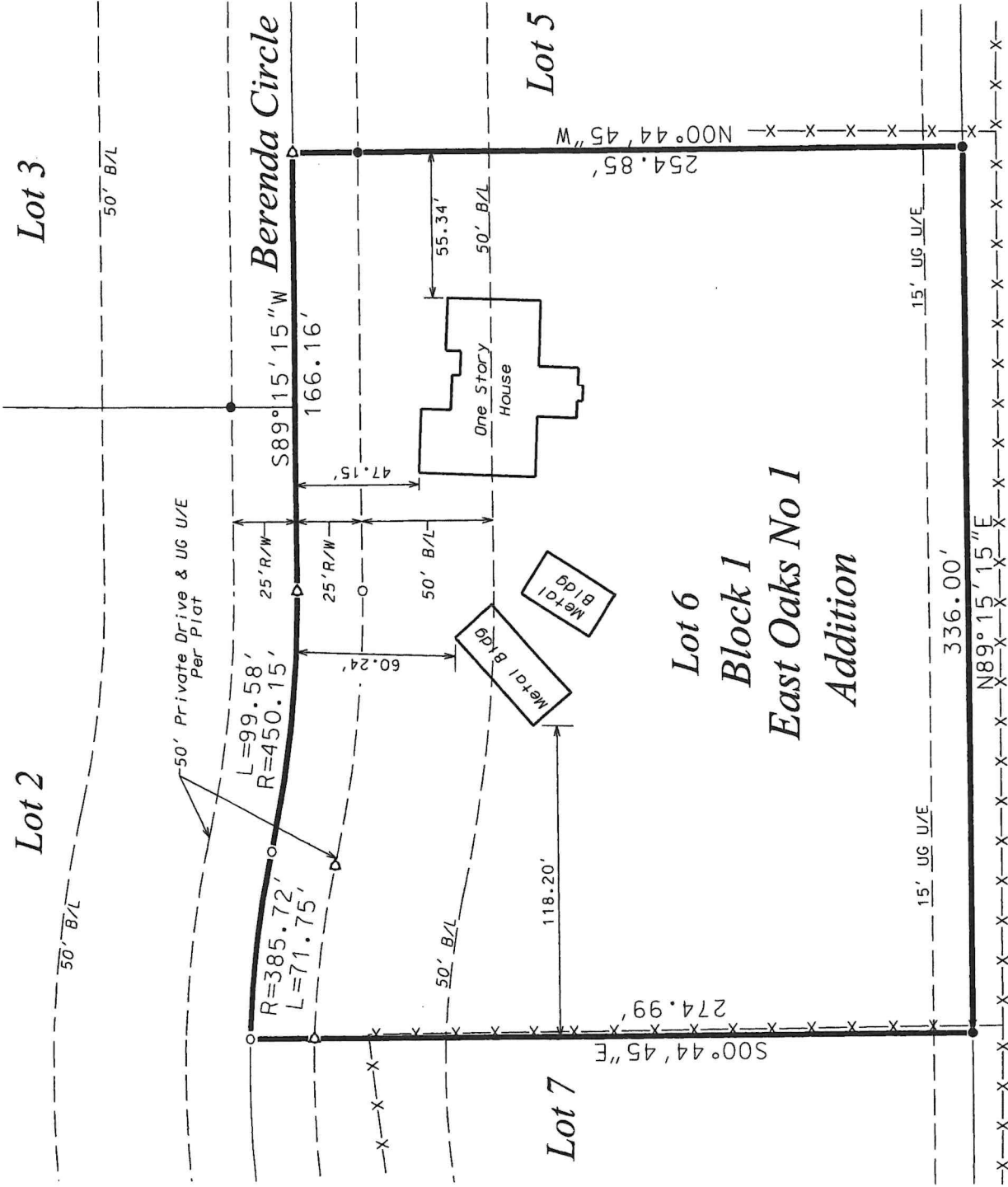
Yes because it allows house to be sold like other houses in this zoning district.

Attest

AAB LAB

CERTIFICATE OF SURVEY

LOT 6 BLOCK 1 OF EAST OAKS No 1 ADDITION
NORMAN, CLEVELAND COUNTY, OKLAHOMA
7338 Berenda Circle, Norman, OK 73026

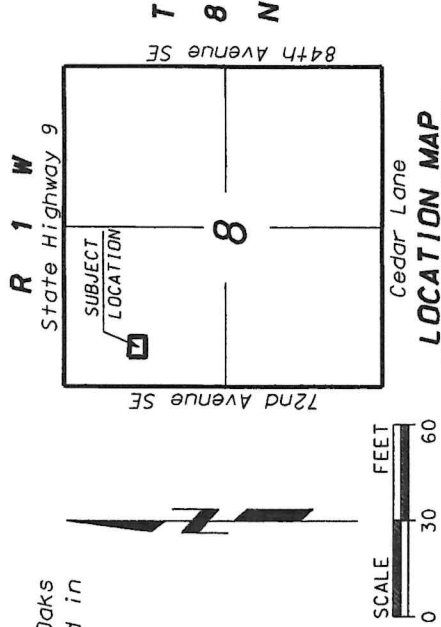


NOTE:

Bearings shown are based on the final Plat of East Oaks No 1 Addition to Norman, Cleveland Oklahoma as filed in Plat Book 11 at Page 21, dated July 25, 1973 in the Cleveland County Clerk's records.

- (●) - Indicates Existing 3/8" Iron Pin Or Monument As Noted Hereon.
- (○) - Indicates Set 1/2" Iron Pin With Plastic Cap Marked " Pollard PLS 1474"
- (▽) - Indicates Mag Nail With Metal Washer Marked " P+W Survey CA 2380"
- (—X—X—) - Indicates Existing Fence Line
- (R/W) - Indicates Platted Street Right-of-way
- (UG U/E) - Indicates Platted Underground Utility Easement
- (B/L) - Indicates Platted Building Line Setback

The Subject Property Is Located in Zone "X" according FEMA's FIRM Map/Panel Number 40027C0315H with an effective Date of 09/26/2008.
Zone "X" is best defined as "Areas of Minimal Flood Hazards".



POLLARD & WHITED SURVEYING, INC.

2514 Tee Drive Norman, OK 73069

405-366-0001

CA 2380 exp.6-30-27

tpollard@pwsurveying.com

Jim West

Certificate of Survey

Lot 6 Block 1 East Oaks No1 Addition

Norman, Cleveland County, Oklahoma

November 20, 2025

Drawn By: T. Pollard

East Oaks 1.dgn

Sheet 1 of 2

Item 6.

CERTIFICATE OF SURVEY

I, Timothy G. Pollard, a Professional Land Surveyor, hereby certify that the attached drawing is a true and accurate representation of a survey of the described property.
I further certify that this survey meets or exceeds the current "Oklahoma Minimum Standards For The Practice Of Land Surveying" as adopted by the Oklahoma State Board Of Licensure For Professional Engineers and Land Surveyors.

LEGAL DESCRIPTION

Lot Six (6) of Block One (1) of East Oaks No 1 Addition to Norman, Cleveland County, Oklahoma according to the recorded plat thereof.

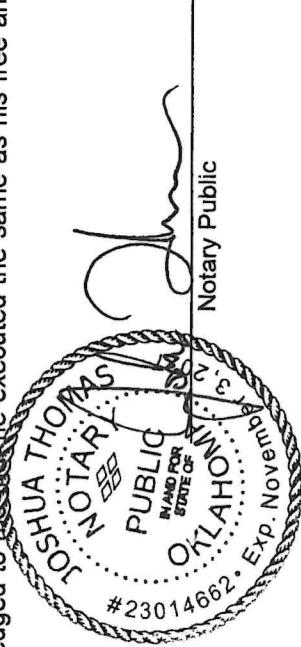
NOTES

- (1) The attached boundary survey was made to establish the boundary locations as shown hereon and is based on the Final Plat of East oaks No. 1 Addition to Norman, Cleveland County, Oklahoma, as filed in Plat Book 11 at Page 21, date July 25, 1973, in the Cleveland County Clerk's records.
- (2) This does not represent a complete search of the County Clerk's records by the undersigned, to determine ownership.
- (3) This survey does not represent a complete search of the County Clerk's records to determine if any easements or rights-of-way affect the property, except as noted. The undersigned has not abstracted the property.
- (4) This survey should be filed with the Cleveland County Clerk and referred to by any deeds, conveyances or other instruments made in connection with the subject property.
- (5) No excavations were made during the progress of this Survey to locate underground utilities and facilities. Contact OKIE 811 or the owners of underground facilities to have them marked before any excavation.
- (6) Except as specifically stated or shown this Survey does not reflect any easements, rights-of-way, building lines, restrictive covenants, subdivision restrictions, zoning or other land use regulations. Further this Survey does not show any other facts which an accurate and current title search would disclose.
- (7) All buildings, surface or subsurface improvements on or adjacent to the subject property are not necessarily shown. This "Boundary Survey" was made to locate the boundary of said property and not necessarily to locate all improvements.
- (8) Bearings are given to show the angle relationship between lines. Bearings are not necessarily geodetic. The basis of bearings for this survey is stated on the attached drawing.
- IT IS ADVISED**, by the undersigned, that all adjoining property owners should be contacted prior to building any fences or other structures along or on the property lines. Certain legal rights may exist with existing fences that have been used for particular periods of time for lines of possession. If any difference of opinion is indicated a resolution should be reached, preferably in writing, between the owners on the location of any improvements along or on the property lines.



NOTARY
State Of Oklahoma)
County Of Cleveland) SS

Before me, a Notary Public, in and for said County and State, on this 20th day of November 2025, personally appeared, Timothy G. Pollard, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed.



Item 6.

Card: 1 of 1 **Total Card** **Total Parcel**

Card: 1 of 1 **Total Card** **Total Parcel**

CATALIS®

CATALIS®

ADVANCING GOVERNMENT.
ENGAGING CITIZENS.

User Account
R0032469
GIS Coord 1
GIS Coord 2
Insp Date
05/09/2025
Print Date / Time
11/20/2025 12:03 pm

User Account
R0032469
GIS Coord 1
GIS Coord 2
Insp Date
05/09/2025
Print Date / Time
11/20/2025 12:03 pm

Last Date / Time
11/3/20 7:53 pm
BANANA\bmarshall

USER DEFINED

PriorID1a
PriorID2a
PriorID3a

	Primer D1b

PriorID1b
PriorID2b
PriorID3b
PriorID1c
PriorID2c
PriorID3c
Assessor Map

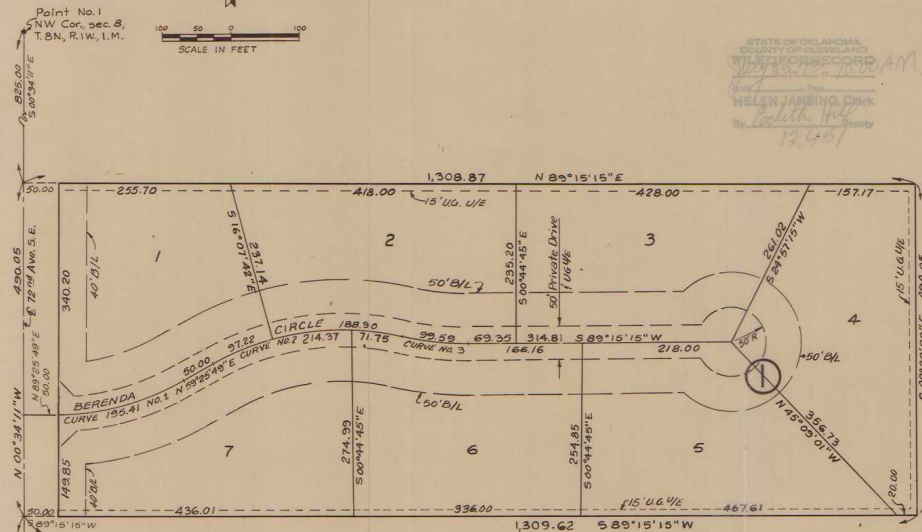
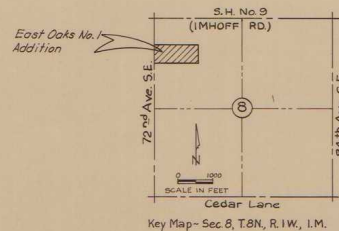
PriorID1b
PriorID2b
PriorID3b
PriorID1c
PriorID2c
PriorID3c
Assessor Map

Assessed	Notes
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97

Property: 32469 | Bld: 33545 | Seq: 1 | Year: 2025 | Data As Of Date: 11/20/2025 | | User: dienkins | DB: Assess50ClevelandOK

EAST OAKS No 1 ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA Being a part of the NW/4 NW/4 Sec. 8, T.8N, R.1W, I.M.



Note: The streets and drives reflected on this plat have not been dedicated to the public. All streets and drives shall be maintained by the private property owners within this subdivision, provided, however, said streets and drives shall forever remain open to police, fire, and other emergency vehicles, and to vehicles and officials of all State, Federal, County, and City agencies.

Legal Description

A tract of land located in the NW/4, NW/4, sec. 8, T.8N, R.1W, I.M., more particularly described as follows: Beginning at a point which is $500^{\circ}34'11''$ E (assumed bearing along the west line of said section) a distance of 825.00 feet from the NW corner of said section; thence $N89^{\circ}15'15''$ E a distance of 1,308.87 feet; thence $500^{\circ}39'28''$ E a distance of 490.05 feet; thence $S89^{\circ}15'15''$ W a distance of 1,309.62 feet; thence $N00^{\circ}34'11''$ W a distance of 430.05 feet to the point of beginning.

CURVE	RADIUS	DELTA	LENGTH	TAN
1	373.21	$30^{\circ}00'00''$	135.41	100.00
2	385.12	$42^{\circ}30'00''$	286.12	150.00
3	450.15	$12^{\circ}40'34''$	39.58	50.00

OWNERS CERTIFICATE AND DEDICATION:

KNOW ALL MEN BY THESE PRESENTS: that we, the undersigned, Dell Pierce and Norma Jean Pierce are the owners of and the only possessors of any right, title or interest in and to the following described property: See legal description and we have caused said land to be surveyed and subdivided into Lots, Blocks, Streets and Avenues, and that hereafter said subdivided land shall be known as East Oaks No. 1 Addition to Norman, Oklahoma, and we dedicate to public use all the easements within the subdivision. All lands so dedicated for public use shall be free from all encumbrances and mortgages. For the purpose of providing an orderly development of the entire tract, the property within the subdivision is subject to certain restrictions contained in an instrument executed as a part and parcel hereof and filed for record in the office of the County Clerk of Cleveland County, Oklahoma with this plat and deeded IN WITNESS WHEREOF, We, the undersigned, have caused this instrument to be executed, on the 16th day of May, 1973.

STATE OF OKLAHOMA }
COUNTY OF CLEVELAND } SS

Before me, the undersigned, a Notary Public in and for said County and State on the 16th day of May, 1973, personally appeared Dell Pierce and Norma Jean Pierce known by me to be the identical persons who subscribed their names as makers to the within and foregoing instrument and acknowledged to me that they same as their free and voluntary act and deed for the purpose and uses therein set forth.

WITNESS my hand and seal the day and year last above written.

My commission expires: 11-3-73

BONDED ABTRACTER'S CERTIFICATE:

The undersigned duly qualified and lawfully bonded Abtractor of Titles in and for the County of Cleveland, State of Oklahoma, hereby certifies that the record proper officials of said County show that title to the land included in the annexed plat of East Oaks No. 1 Addition

to Norman, Oklahoma, is vested in Dell Pierce and Norma Jean Pierce

and that on the 14th day of MAY, 1973, there are no actions pending or judgments of any nature in any court or on file with the Clerk of any Court in State against said land or the owner thereof, that the taxes are paid for the year 1972 and all the prior years, that no outstanding tax sales certificates are against said land and that no tax deeds are issued to any person or persons, and that there are no liens, mortgages or other encumbrances of any kind against the land included in the annexed plat, EXCEPT: Mortgages, Easements and Mineral Conveyances of Record.

IN WITNESS WHEREOF, said Bonded Abtractor has executed this instrument at Norman, Oklahoma, this 14th day of MAY, 1973 American First Abstract

ATTEST: Paul Nordstrom
Secretary

STATE OF OKLAHOMA }
COUNTY OF CLEVELAND } SS

Before me, the undersigned, a Notary Public in and for said County and State, on the 14th day of MAY, 1973, personally appeared Harold Cox, President of the American First Abstract Company, known by me to be the identical person who subscribed his name as maker to the within and foregoing instrument and acknowledged to me that he executed his free and voluntary act and deed and as the free and voluntary act and deed of said corporation for the purpose and uses therein set forth.

WITNESS my hand and seal the day and year last above written.

My commission expires: September 30, 1974

COUNTY TREASURER'S CERTIFICATE:

I, Mabel Gilmore, do hereby certify that I am the duly elected, qualified and acting County Treasurer of Cleveland County, State of Oklahoma, and that said County show all taxes are paid for the year 1972 and all prior years on the land shown on the annexed plat of East Oaks No. 1 Addition

to Norman, Oklahoma

IN WITNESS WHEREOF, said County Treasurer has caused this instrument to be executed at Norman, Oklahoma, on this 15th day of May, 1973.

CITY PLANNING COMMISSION APPROVAL:

I, William H. Hardwick, Chairman of the City Planning Commission of Norman, Oklahoma, do hereby certify that the said Planning Commission has reviewed the attached plat of East Oaks No. 1 Addition

to Norman, Oklahoma, at a meeting on the 14th day of June, 1973, and forwarded same to City Council without recommendation.

CITY COUNCIL APPROVAL:

I, C.H. Dunn, Mayor of the City of Norman, Cleveland County, Oklahoma, do hereby certify that the City Council of said City approved the attached plat of East Oaks No. 1 Addition

to Norman, Oklahoma, at a meeting on the 10th day of July, 1973.

ATTEST: Paul Nordstrom
City Clerk

ENGINEER'S CERTIFICATE:

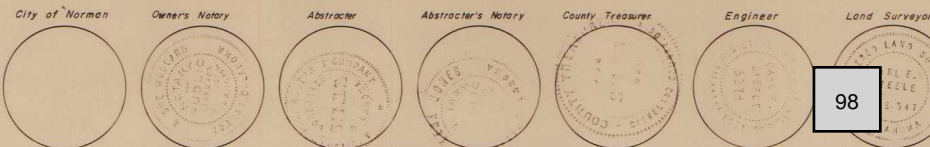
I, Carl E. Steele, a registered professional engineer and registered land surveyor do hereby certify that the annexed plat of East Oaks No. 1 Addition to Norman, Oklahoma, consisting of this sheet only, correctly represents a survey thereof made under my supervision and that all of the monuments shown actually exist and their respective positions are correctly shown.

STATE OF OKLAHOMA }
COUNTY OF CLEVELAND } SS

Before me the undersigned, a Notary Public in and for said County and State, on the 16 day of May, 1973, personally appeared Carl E. Steele known by me to be the identical person who subscribed his name as maker to the within and foregoing instrument and acknowledged to me that he executed the free and voluntary act and deed for the purpose and uses therein set forth.

WITNESS my hand and seal the day and the year last above written.

My commission expires 11-3-73





CITY OF NORMAN, OK BOARD OF ADJUSTMENT MEETING - SPECIAL MEETING

Development Center, Room A, 225 N. Webster Ave., Norman, OK 73069
Wednesday, December 10, 2025 at 4:30 PM

MINUTES

The Board of Adjustment of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session in Conference Room A at the Development Center, on Wednesday, December 10, 2025 at 4:30 PM. Notice of the agenda of the meeting was posted at the Development Center at 225 N. Webster Ave, the Norman Municipal Building at 201 West Gray, and on the City website at least 48 hours prior to the beginning of the meeting.

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

ROLL CALL

BOARD MEMBERS PRESENT

Curtis McCarty
Ben Bigelow
Brad Worster
Eric Williams
Matt Graves

BOARD MEMBERS ABSENT

James Howard

STAFF PRESENT

Jane Hudson, Planning & Community Development Director
Lora Hoggatt, Planning Services Manager
Laci Witcher, Permit Technician
Beth Muckala, Assistant City Attorney III
Whitney Kline, Admin Tech IV
Bailey LaChance, Admin Tech III

GUESTS PRESENT

Jim West, 1203 Brookhaven Blvd., Norman, OK
Zach Stevens, no address specified
Allison Basden, 7338 Brenda Circle, Norman, OK
Lawrence Basden Jr., 7338 Brenda Circle, Norman, OK

DISCUSSION ITEMS

1. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-7: ALLISON BASDEN & LAWRENCE BASDEN JR. REQUESTS A VARIANCE TO SECTION 36-513(D)(1)(A) OF 2.85' TO THE REQUIRED 50' FRONT YARD SETBACK FOR THE PROPERTY LOCATED AT 7338 BRENDA (BERENDA) CIRCLE.

Staff Presentation

Jane Hudson, Planning & Community Development Director, presented the staff report.

Mr. McCarty asked whether increasing the measurement to 28 feet instead of 27.85 feet would be acceptable to avoid any potential issues if the property ever needs to be surveyed again.

Ms. Hudson responded the amendment is allowed.

Beth Muckala, Assistant City Attorney III, outlined the variance criteria for the Board.

Public Discussion

Zach Stevens, representing the buyer, asked if this variance would permit rebuilding in the same location should there ever be a natural disaster or unfortunate event destroy the house.

Ms. Muckala explained unless a condition ties the variance specifically to the current structure, it would continue to apply to the property.

Board of Adjustment Discussion

Mr. Worster stated he believed using an even 28 feet is the better choice moving forward.

Motion made by Chairman McCarty, **Seconded** by Secretary Worster.

BOA-2526-7 for an amended variance of 28 feet to the required front setback pursuant to 36-513(D)(1)(A), a condition upon corrected noticing and ratification vote at the next regular Board of Adjustment Meeting was approved.

Voting Yea: Chairman McCarty, Board Member Bigelow, Secretary Worster, Board Member Williams, Board Member Graves

MISCELLANEOUS COMMENTS

Mr. McCarty informed the Board beginning in January, all meetings will take place in the Council Chambers.

Ms. Hudson thanked the Board for holding the Special Meeting.

ADJOURNMENT

The meeting was adjourned at 4:45 p.m.

Passed and approved this _____ day of _____ 2026.

Secretary, Board of Adjustment