



CITY OF NORMAN, OK
BOARD OF ADJUSTMENT MEETING
Development Center, Room A, 225 N. Webster Ave., Norman, OK 73069
Wednesday, August 27, 2025 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

MINUTES

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

BOARD OF ADJUSTMENT MEETING MINUTES OF JULY 23, 2025.

DISCUSSION ITEMS

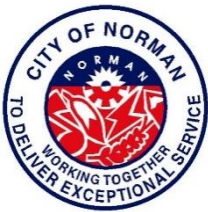
2. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-2: HOME CREATIONS, INC., APPEALS THE DENIAL OF FLOODPLAIN PERMIT APPLICATION NO. 716 FOR THE PROPOSED BURN PIT IN THE BISHOP CREEK FLOODPLAIN NEAR EAGLE CLIFF WEST SUBDIVISION.

The applicant requests postponement to the September 24, 2025 Board of Adjustment meeting.

3. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-3: RANDY AND SUSAN HORNBURGER REQUEST A VARIANCE TO 36-512(D)(1) OF 19' TO THE REQUIRED 100' FRONT YARD SETBACK FROM THE CENTERLINE OF A PUBLIC STREET FOR AN EXISTING ACCESSORY BUILDING, AND A VARIANCE TO 36-512(D)(1) OF 20' TO THE REQUIRED 100' FRONT YARD SETBACK FROM THE CENTERLINE OF A PUBLIC STREET FOR AN EXISTING ADDITION TO THE HOME AT THE PROPERTY LOCATED AT 10600 E. FRANKLIN ROAD.

MISCELLANEOUS COMMENTS

ADJOURNMENT



CITY OF NORMAN, OK
BOARD OF ADJUSTMENT MEETING
Development Center, Room A, 225 N. Webster Ave., Norman, OK 73069
Wednesday, July 23, 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, July 23, 2025 at 4:30 PM. Notice of the agenda of the meeting was posted at the Development Center at 225 N. Webster Avenue, 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

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

BOARD MEMBERS ABSENT

Ben Bigelow

STAFF PRESENT

Lora Hoggatt, Planner Services Manager
Justin Fish, Planner I
Beth Muckala, Assistant City Attorney III
Whitney Kline, Admin Tech IV

GUESTS PRESENT

Dan Glenn, 11 Rustic Hills Street, Norman, OK
Sean Rieger & Gunner Joyce, 136 Thompson Drive, Norman, OK

MINUTES

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

BOARD OF ADJUSTMENT MEETING MINUTES OF JUNE 25, 2025.

Motion by Mr. Webb to approve the minutes of the June 25, 2025 Board of Adjustment regular meeting; **Second** by Mr. Howard.

The motion passed unanimously with a vote of 6-0.

ACTION ITEMS

2. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-1: DAN GLENN REQUESTS A VARIANCE TO 36-514(C)(1)(A) OF 3' TO THE REQUIRED 25' FRONT YARD SETBACK TO ALLOW FOR A FRONT PORCH, AND A VARIANCE TO 36-514(C)(2)(A) OF 2' TO THE REQUIRED 5' SIDE YARD SETBACK TO ALLOW THE DWELLING STRUCTURE TO BE LOCATED 3' FROM THE PROPERTY LINE AT THE PROPERTY LOCATED AT 510 W. EUFAULA STREET.

Staff Presentation

Justin Fish, Planner I, presented the staff report.

Mr. Howard asked if there were any similar situations in the area where a house encroached the front yard setback. Mr. Fish responded he was unaware of any houses in the area that encroached the front yard setback.

Mr. McCarty asked if there was a building permit for this property. Mr. Fish responded that a building permit was previously denied by the City because the property first needed to apply to the Board of Adjustment for a Variance.

Applicant Presentation

Dan Glenn, applicant, explained the proposed project. Mr. Glenn stated six of the 12 houses in the neighborhood encroached the front property line.

Mr. McCarty asked if Mr. Glenn had started work before realizing he needed a permit. Mr. Glenn stated a permit was not required for the concrete pad.

Mr. McCarty asked if a survey had been completed on the property. Mr. Glenn stated he did not have a survey completed; however, he measured the property and determined the structure is approximately 27' from the front property line.

Public Comments

There were no public comments.

Board of Adjustment Discussion

Motion by Mr. Howard to approve BOA-2526-1; **Second** by Mr. Webb.

The motion passed unanimously with a vote of 6-0.

3. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-2: HOME CREATIONS, INC., APPEALS THE DENIAL OF FLOODPLAIN PERMIT APPLICATION NO. 716 FOR THE PROPOSED BURN PIT IN THE BISHOP CREEK FLOODPLAIN NEAR EAGLE CLIFF WEST SUBDIVISION.

Mr. McCarty stated the applicant requested postponement to the August 27, 2025 Board Adjustment meeting.

Motion by Mr. Webb to postpone BOA-2526-2 to the August 27, 2025 Board of Adjustment meeting; **Second** by Mr. Howard.

The motion passed unanimously with a vote of 6-0.

MISCELLANEOUS COMMENTS

There were no miscellaneous comments.

ADJOURNMENT

The meeting was adjourned at 4:40 p.m.

Passed and approved this _____ day of _____ 2025.

Secretary, Board of Adjustment



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 08/27/2025

REQUESTER: Home Creations, Inc.

PRESENTER: Jason Murphy, Stormwater Program Manager

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-2: HOME CREATIONS, INC., APPEALS THE DENIAL OF FLOODPLAIN PERMIT APPLICATION NO. 716 FOR THE PROPOSED BURN PIT IN THE BISHOP CREEK FLOODPLAIN NEAR EAGLE CLIFF WEST SUBDIVISION.

The applicant requests postponement to the September 24, 2025 Board of Adjustment meeting.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 08/27/2025

REQUESTER: Randy & Susan Hornburger

PRESENTER: Justin Fish, Planner I

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-3: RANDY AND SUSAN HORNBURGER REQUEST A VARIANCE TO 36-512(D)(1) OF 19' TO THE REQUIRED 100' FRONT YARD SETBACK FROM THE CENTERLINE OF A PUBLIC STREET FOR AN EXISTING ACCESSORY BUILDING, AND A VARIANCE TO 36-512(D)(1) OF 20' TO THE REQUIRED 100' FRONT YARD SETBACK FROM THE CENTERLINE OF A PUBLIC STREET FOR AN EXISTING ADDITION TO THE HOME AT THE PROPERTY LOCATED AT 10600 E. FRANKLIN ROAD.

APPLICANT	Randy & Susan Hornburger
LOCATION	10600 East Franklin Road
ZONING	A-2, Rural Agricultural District
REQUESTED ACTION	Variances to Section 36-512(d)(1) of 20' to the required 100' from the center line of a public street for an existing addition and Section 36-512(d)(1) of 19' to the required 100' from the center line of a public street for an existing shed
SUPPORTING DATA	Location map and aerials Application with attachments Site Plan

SYNOPSIS:

This application concerns two structures existing on the parcel: a primary dwelling and an accessory structure. The applicant purchased this property in 2009. The applicant is requesting a variance to the front setback for both structures. County records indicate the primary dwelling was constructed in or around 2002; however, the construction prompting this application is an addition completed within the last year on the north side of the primary dwelling. The accessory structure, a "shop building," appears to have been previously constructed by the applicant in or

around 2010-2013. The City's records do not indicate that building permits were obtained for the shop building or the addition to the house.

The variances being requested are as follows:

1. A variance to Section 36-512(d)(1) of 20' to the required 100' from the center line of a public street, applicable to the primary dwelling addition.
2. A variance to Section 36-512(d)(1) of 19' to the required 100' from the center line of a public street, applicable to the accessory structure.

The application, site plan, and the variance justification form provided by the applicant are attached for your review. Also attached, and provided by City Staff, are a topographical map for the property, and available aeriels relating to the property, which provide greater detail regarding the structures at issue.

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:

As indicated by the applicant, the primary dwelling appears to have been constructed at the 100' setback from the center line of East Franklin Road. Thus, the entirety of the recent addition violates the required front yard setback. The applicant has measured the distance between the furthest northern points of both structures and the center line of East Franklin Road and has indicated on the site plan that the primary dwelling addition is located 80' from the center line,

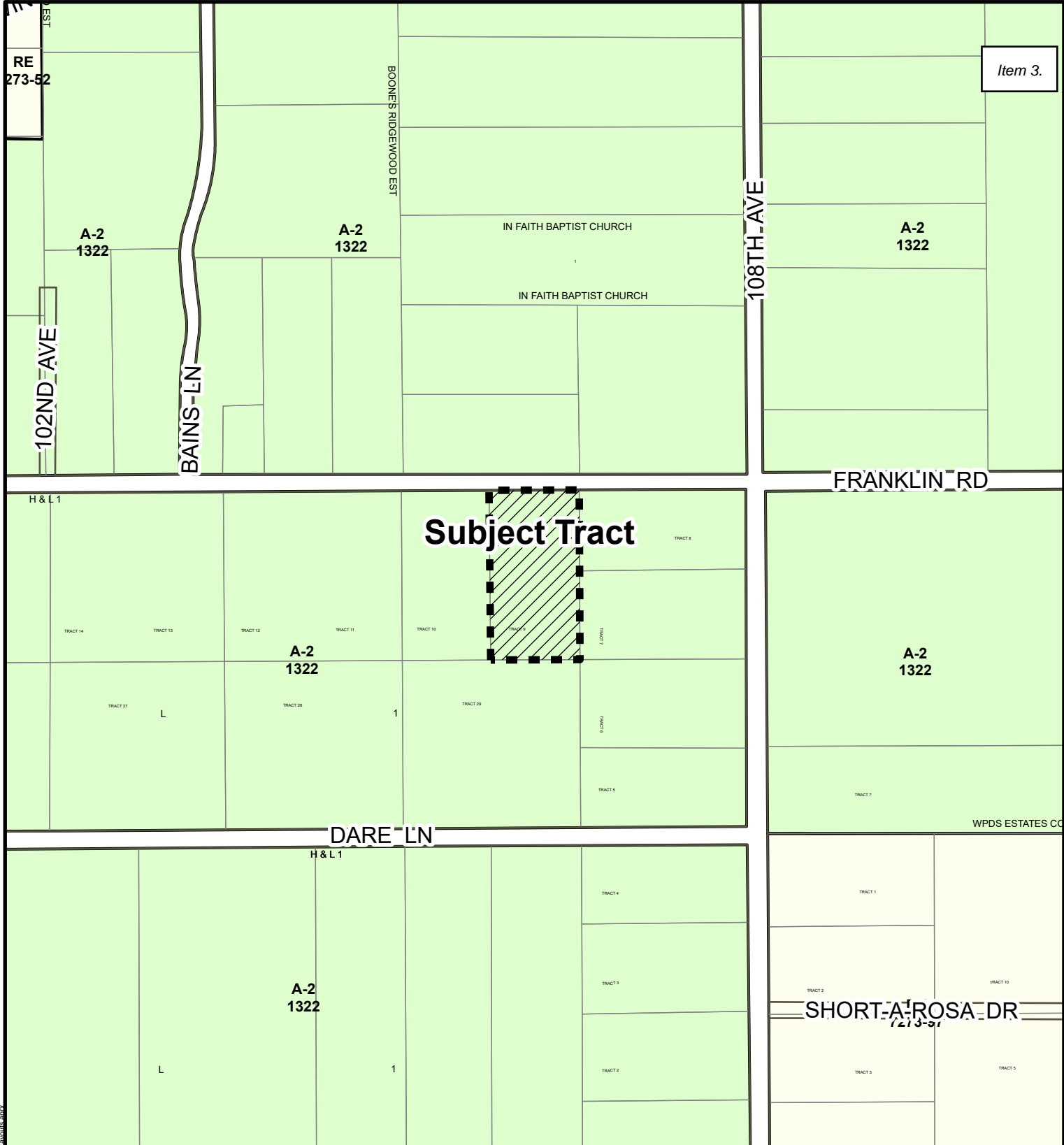
and the accessory structure is 81' from the center line. Thus, the applicant has requested a 20' and 19' variance, respectively. The site plan provided by the applicant does not show the current state of construction, and staff has provided an aerial obtained from a third-party source that the applicant agrees demonstrates the state of current construction.

The applicant's submission materials state topography as a factor for the requested variances. Staff evaluation is that the topography on this parcel is consistent across the entire parcel and with other properties located in the A-2, Rural Agricultural District.

The applicant's submissions also indicate that "several properties in the area have buildings and homes in a reduced setback." City Staff could not locate a property along East Franklin Road with a similar setback encroachment. Regardless, other non-conforming structures in the same district may not be considered as grounds for the issuance of a variance.

CONCLUSION:

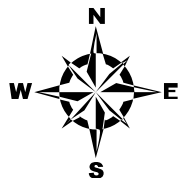
Staff forwards this request for variances to Sections 36-512(d)(1) and BOA-2526-3 to the Board of Adjustment for consideration.



Location Map



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



August 5, 2025

0 250 500 Ft.



Subject Tract



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) Randy & Susan Hornburger	ADDRESS OF APPLICANT 10600 East Franklin Rd Norman, OK 73026
NAME AND PHONE NUMBER OF CONTACT PERSON(S) Randy Hornburger [REDACTED]	EMAIL ADDRESS [REDACTED]

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)

See Attached

Requests Hearing for:

- ☒ VARIANCE from Chapter 36-512, Section (d) (1)
☐ SPECIAL EXCEPTION to _____

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

We purchased the property with an existing manufactured home setting at the 100' setback requirement. The home has no enclosed or covered drive in access to the home. Due to the home floor plan and property sloping terrain the N end of the home (Facing Franklin RD) is the only logical place for a covered addition where an existing open metal carport was. The proposed location / building location / building would not be a hindrance to any surrounding properties and offer my family safe cover during inclement weather.

A 20' ft variance is needed for the Addition & 19' variance for the existing accessory building

SIGNATURE OF PROPERTY OWNER(S):

ADDRESS AND TELEPHONE:

Randy Hornburger
Susan Hornburger

[REDACTED]

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: _____



BOARD OF ADJUSTMENT
DETAILED JUSTIFICATION OF VARIANCE REQUEST

Item 3.

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

Revised 08/23

Please attach additional sheets, as necessary.

Special conditions or circumstances exist that are peculiar to the land, structure, or building involved and are not applicable to other lands, structures, or buildings in the same district:
Previous owner set up mobile home on the setback line. Due to Home floor plan and property sloping terrain the proposed area is the only way you could access home under a covered building. Accessory building was pre-existing-2009

Attest
PA / SH

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

Without a variance, the 100' setback will not allow us to access home under a covered building in inclement weather like most properties in the area.

Attest
PA / SH

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

Previous owner placed the home on the setback line. Property Grade drops from North to South drastically per ft. Accessory building cannot be further south due to terrain and water well pump location / electric lines and tree's.

Attest
PA / SH

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:

Several properties in the area have buildings and homes in a reduced setback.

Attest
PA / SH

Accessory Building (Enclosed Carport)

26' W x 22' L x 15.4' H free standing building enclosed on 2 sides(North wall & West wall, 3rd side (south end) being the existing mobile home N end exterior wall, butted up to mobile home. 6 x 6 post buried 3' deep x 15" round concrete tubes, Comp shingle roof,

Wood and vinyl siding walls. East entrance open at existing gravel driveway

Solar lighting at entrance(no electrical needed)



Item 3.

Applicant Submitted Site Plan

10600 E Franklin Rd

ed by the City of Norman
ed by the City of
Norman Information
System
Norman assumes no

