



CITY OF NORMAN, OK BOARD OF ADJUSTMENT MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Wednesday, February 28, 2024 at 4:30 PM

AGENDA

It is the policy of the City of Norman that no person or groups of persons shall on the grounds of race, color, religion, ancestry, national origin, age, place of birth, sex, sexual orientation, gender identity or expression, familial status, marital status, including marriage to a person of the same sex, disability, relation, or genetic information, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in employment activities or in all programs, services, or activities administered by the City, its recipients, sub-recipients, and contractors. In the event of any comments, complaints, modifications, accommodations, alternative formats, and auxiliary aids and services regarding accessibility or inclusion, please contact the ADA Technician at 405-366-5446, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.

ROLL CALL

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

MINUTES

1. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT of the Minutes of the January 24, 2024 Board of Adjustment meeting.

ACTION ITEMS

2. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2324-11: CANDACE AND CHRIS DRAGG REQUEST A VARIANCE OF 7% TO 36-514(c)(7) FROM 65% TO 72% IMPERVIOUS COVERAGE TO ALLOW THE ADDITION OF A SWIMMING POOL FOR PROPERTY LOCATED AT 3817 DANFIELD LANE.
3. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2324-12: CAITLIN & DAMIEN HAWKINS REQUEST A VARIANCE OF 80' TO 36-512(d)(4) FOR A LOT LESS THAN 330' WIDE (APPROXIMATELY 250') LOCATED AT 3400 132ND AVENUE S.E.

This item has been withdrawn.

4. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2324-13: TOBY JAY TOWNSEND REQUESTS VARIANCES TO 36-516(c)(3) OF 1' TO THE 5' SIDE YARD SETBACKS FOR BOTH SIDES, AND TO 516(c)(4) OF 25' TO THE 50' REQUIRED WIDTH AND 10' TO THE REQUIRED 35' STREET FRONTAGE, AND TO 516(c)(5) OF APPROXIMATELY 443 SQ. FT. TO THE 5,000 SQ. FT. REQUIRED FOR A SINGLE-FAMILY DWELLING FOR A LEGAL NON-CONFORMING LOT LOCATED AT 914 E. COMANCHE STREET.

MISCELLANEOUS COMMENTS

ADJOURNMENT



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 2/28/2024

REQUESTER:

PRESENTER: Roné Tromble, Admin. Tech. IV

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT of the Minutes of the January 24, 2024 Board of Adjustment meeting.

ACTION NEEDED: Approve, reject, amend, or postpone the minutes of the January 24, 2024 Board of Adjustment meeting.



CITY OF NORMAN, OK BOARD OF ADJUSTMENT MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Wednesday, January 24, 2024 at 4:30 PM

MINUTES

The Board of Adjustment of the City of Norman, Cleveland County, Oklahoma, met in Regular Session in City Council Chambers of the Norman Municipal Complex, 201 West Gray Street, at 4:30 p.m., on Wednesday, January 24, 2024. Notice and agenda of said meeting were posted in the Municipal Building at the above address and at [Agendas/Minutes | City of Norman Oklahoma Meetings \(municodem meetings.com\)](#) in excess of 24 hours prior to the beginning of the meeting.

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

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

ROLL CALL

PRESENT

Brad Worster
Micky Webb
Ben Bigelow
James Howard
Curtis McCarty

STAFF PRESENT

Lora Hoggatt, Planning Services Manager
Melissa Navarro, Planner II
Justin Fish, Planner I
Kelly Abell, Planner I
Roné Tromble, Admin. Tech. IV
Beth Muckala, Asst. City Attorney

*

1. Election of Officers for 2024

Motion made by Bigelow, seconded by Webb, to re-elect the current slate of officers: Chair - Curtis McCarty, Vice Chair - James Howard, and Secretary - Brad Worster, for 2024.

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

The motion to re-elect the current slate of officers for 2024 passed by a vote of 5-0.

*

MINUTES

2. Consideration of Approval, Rejection, Amendment, and/or Postponement of the Minutes of the December 6, 2023 Board of Adjustment Meeting.

Motion made by Worster, seconded by Bigelow, to approve the Minutes of the December 6, 2023 Board of Adjustment meeting, as presented.

Voting Yea: Worster, Bigelow, Howard, McCarty

Abstaining: Webb

The motion to approve the December 6, 2023 minutes as presented passed by a vote of 4-0.

*

ACTION ITEMS

3. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2324-9: Sheridan Homes, L.L.C. requests a Variance to 36-519(d)(4)(a) for a lot smaller than 5,000 sq. ft.; a Variance to 36-519(d)(1) of 5' to the 25' front yard setback; a Variance to 36-519(d)(3) of 10' to the 20' rear yard setback; a Variance to 36-519(d)(2) of 5' to the required 5' east side setback; and a Variance to 36-519(d)(4)(b) of 11% to the 40% building coverage, for property located at 3608 Havenbrook Street.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Site Plan
4. Aerial Photo
5. Application

PRESENTATION BY STAFF:

Justin Fish reviewed the staff report, a copy of which is filed with the minutes.

Mr. Bigelow asked if the other houses on this street have a zero lot line on one side. Ms. Navarro indicated that is correct.

Mr. Howard asked why they are asking for variances, rather than rezoning. Ms. Muckala explained this is a unique set of circumstances relating to the history of the zoning, but all of the requests within this are to development standards; it is not asking for a use change.

Mr. McCarty asked if the ordinance requirements for RM-6 have changed since this area was originally platted. Ms. Navarro explained that in 1981 the developer asked for a PUD, so they changed the development standards. The subject lot was not included in the PUD because it was going to be used for a parking lot, which was never developed.

PRESENTATION BY THE APPLICANT:

Abdi Malakouti, representing Sheridan Homes, L.L.C., explained their request. The plat shows that Lot 134 is exactly the same as the other lots, with a 20' building line in the front and 10' building line in the back. Lot 134 was not included in the approval letter from the City of Norman in 1981. 3700 Havenbrook Street was about 51.7% coverage.

Mr. McCarty asked if there are 10' setbacks between the existing houses. Mr. Malakouti responded affirmatively.

AUDIENCE PARTICIPATION: None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Item 1.

Motion made by Webb, seconded by Worster, to approve all five variances as requested in BOA-2324-9.

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

The motion to approve BOA-2324-9 as requested passed by a vote of 5-0.

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

*

MISCELLANEOUS COMMENTS

Calendars of the 2024 meeting schedule were distributed.

Mr. Bigelow asked whether there has been any contact from the people that withdrew the application at the December meeting. Ms. Muckala reported that Mr. Fulkerson had spoken to her with some questions, and indicated he would be back in touch if he had more questions or wanted to submit again. He does not currently have an active application.

Ms. Navarro introduced our two new planners, Justin Fish and Kelly Abell.

ADJOURNMENT

There being no further business and no objection, the meeting adjourned at 4:46 p.m.

Secretary, Board of Adjustment



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 2/28/2024

REQUESTER: Candace & Chris Dragg

PRESENTER: Justin Fish, Planner I

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2324-11: CANDACE AND CHRIS DRAGG REQUEST A VARIANCE OF 7% TO 36-514(c)(7) FROM 65% TO 72% IMPERVIOUS COVERAGE TO ALLOW THE ADDITION OF A SWIMMING POOL FOR PROPERTY LOCATED AT 3817 DANFIELD LANE.

APPLICANT	Candace & Chris Dragg
LOCATION	3817 Danfield Lane
ZONING	R-1, Single-Family Dwelling District
REQUESTED ACTION	Variance of 7% to 36-514(c)(7) from 65% to 72% impervious coverage to allow addition of a swimming pool
SUPPORTING DATA	Location Map Application with attachments Site Plan

SYNOPSIS: The applicant wishes to construct a swimming pool in their backyard, but the applicant has reached the maximum 65% impervious coverage limit. The property is zoned R-1, Single-Family Dwelling District, and the applicant is requesting one variance:

1. A variance to increase the maximum impervious coverage of 65% by 7% (72%).

VARIANCE CRITERIA PER SECTION 570(k):

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

- (1) *An applicant shall submit to the Board of Adjustment a written application indicating:*
 - (a) *That special conditions and circumstances exist that are peculiar to the land, structure, or building involved and are not applicable to other lands, structures, or buildings in the same district;*

- (b) *That the literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance;*
- (c) *That the special conditions and circumstances do not result from the actions of the applicant;*
- (d) *That granting the variances requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structure, or buildings in the same district;*

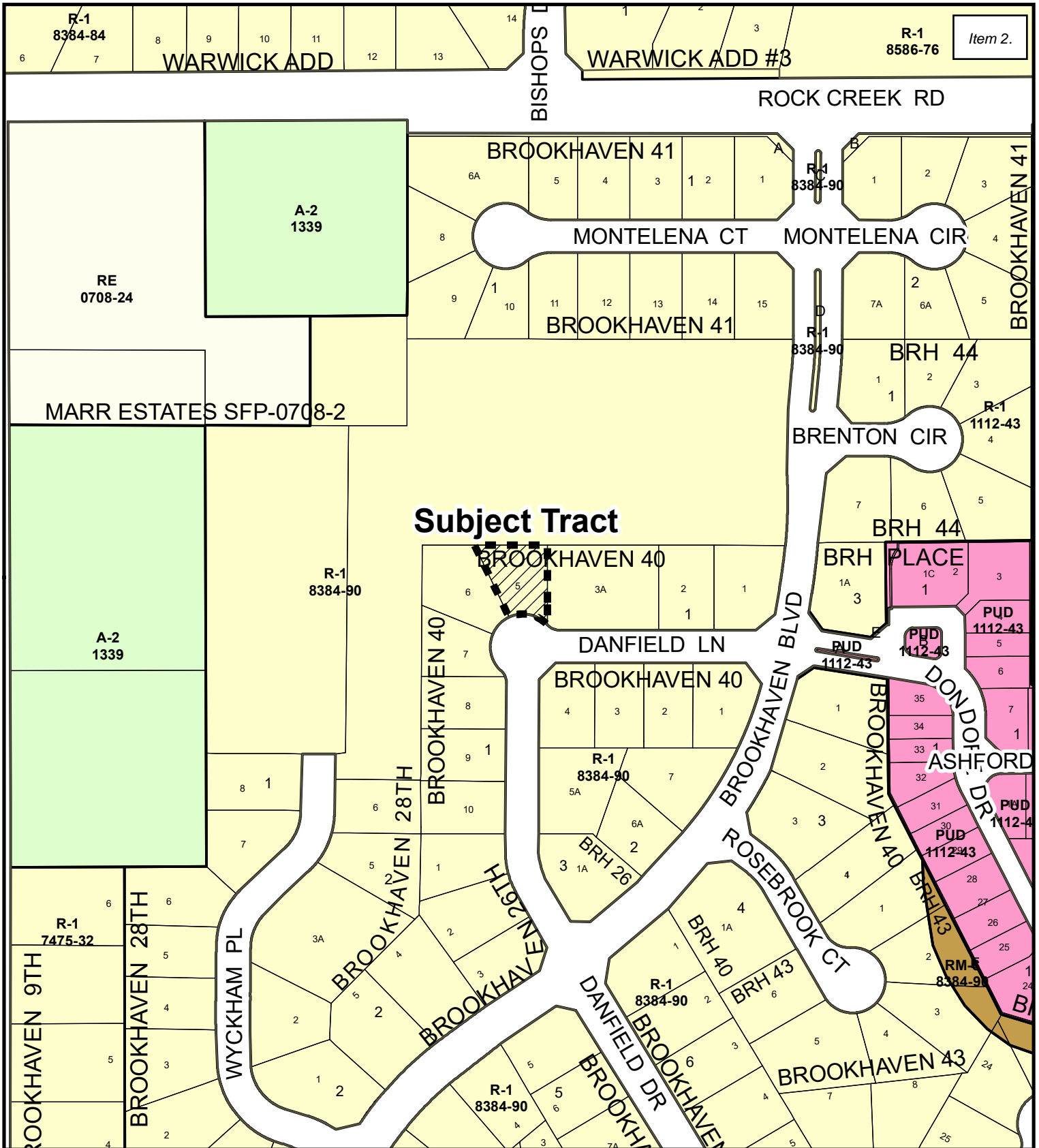
No non-conforming use of neighboring lands, structures, or buildings in the same district and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

Please see the attached justification from the applicant.

DISCUSSION: The subject property has met the impervious surface maximum of 65% set by the R-1, Single-Family Dwelling District. The applicant wishes to increase this limit by 7% in an effort to construct a swimming pool. Inground swimming pools are not subject to setback requirements. The proposed swimming pool does not encroach on the 10' utility easement along the rear of the property.

The drainage/detention solution for this development is based on a maximum impervious coverage of 65%.

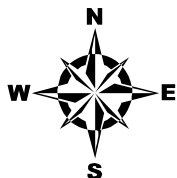
CONCLUSION: Staff forwards this request for BOA-2324-11 to the Board of Adjustment for consideration.



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.

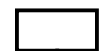


February 6, 2024

0 100 200 Ft.



Subject Tract



Zoning



Application for Variance or Special Exception
BOARD OF ADJUSTMENT

Case No. BOA

Item 2.

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

APPLICANT(S) CANDACE L. DRAGG CHRIS A. DRAGG	ADDRESS OF APPLICANT 3817 DANFIELD LN NORMAN OK 73072
NAME AND PHONE NUMBER OF CONTACT PERSON(S) CHRIS DRAGG 405-823-5354	EMAIL ADDRESS CHRISADRAGG@YAHOO.COM

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

BROOKHAVEN 40 LOT 5 BLOCK 1

Requests Hearing for:

- ☒ VARIANCE from Chapter 36, Section 570
☐ SPECIAL EXCEPTION to _____

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

~~SEE ATTACHED LETTER~~ SEE ATTACHED LETTER

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

SIGNATURE OF PROPERTY OWNER(S):

ADDRESS AND TELEPHONE:

3817 Danfield LN
405-823-5354

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

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

Date Submitted: _____

Checked by: _____



CERTIFICATION OF OWNERSHIP

Case No. BOA

Item 2.

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

DATE: 1/5/2024

I, Chris & Candace Dray, 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:

Brookhaven Ho L. & S Block 1

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

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

Owner's Signature: [Signature]

Address: 3817 Danfield Ln

Agent's Signature: _____

Address: _____

NOTARY

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

(SEAL)

My commission expires: _____

Notary Public

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

Signature: _____

Title: _____

CITY OF NORMAN

The City of Norman
Board of Adjustment
201 West Gray
Norman, OK 73069

RE: Variance Application – Dragg Pool Build

Dear Board Members,

We hope this letter finds you well. We are writing to formally request a variance from the current impervious surface coverage regulations for our property located at 3817 Danfield Lane. Our request pertains specifically to an increase in the allowable impervious surface coverage from the current limit of 65% to 72%.

The purpose of this variance is to accommodate the installation of a swimming pool on the property. The additional impervious surface coverage of 372 square feet is essential for the successful implementation of this project. We believe that this variance is reasonable and justified, as it will not only enhance the quality of life for our family but also contribute positively to the aesthetics and build quality of the neighborhood.

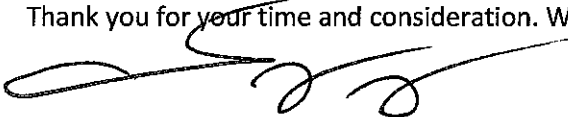
To provide a brief overview of the proposed project:

- *Nature of the Project:*
Installation of a swimming pool.
- *Reasons for Variance:*
The variance is necessary to accommodate the construction of the swimming pool.
The proposed increase in impervious surface coverage is minimal and will not adversely impact the surrounding environment or neighboring properties.
There are special conditions and circumstances peculiar to the land of our lot making it unique to the street. We sit on a cul-de-sac and as such we have a constricted front lawn, with the building set back at 25 feet, and with the cul-de-sac it offers little to no front yard.
Our Lot is the smallest lot on the street in total SF, and our home is the smallest home on the street.
- *Benefits of the Project:*
The swimming pool will serve as a recreational amenity for my family.
The project will contribute to the overall improvement of the property and the neighborhood.
- *Mitigation Measures:*
We are committed to implementing appropriate stormwater management measures to minimize any potential impact on drainage.

We believe this very minimal variance request will have no negative effect on surrounding properties. Indeed, as explained above, we believe this will further the goals and vision of the neighborhood to allow for the construction of the pool, as 12 of the 17 homes in the 300' radius have a swimming pool. We have attached the necessary documents, including a site plan, a 300' Radius Map, to support my request. We are also willing to attend any hearings or meetings to address any concerns and provide additional information as needed.

We kindly request the Board's favorable consideration of our variance request. We believe that this project aligns with the goals of enhancing Norman residential properties and contributing positively to the community, thus adding to the beauty and tranquility of this wonderful neighborhood.

Thank you for your time and consideration. We look forward to the opportunity to discuss our request further.



Chris and Candace Dragg

3817 Danfield Lane

Norman Ok 73072

Board of Adjustment
Detailed Justification of Variance Request

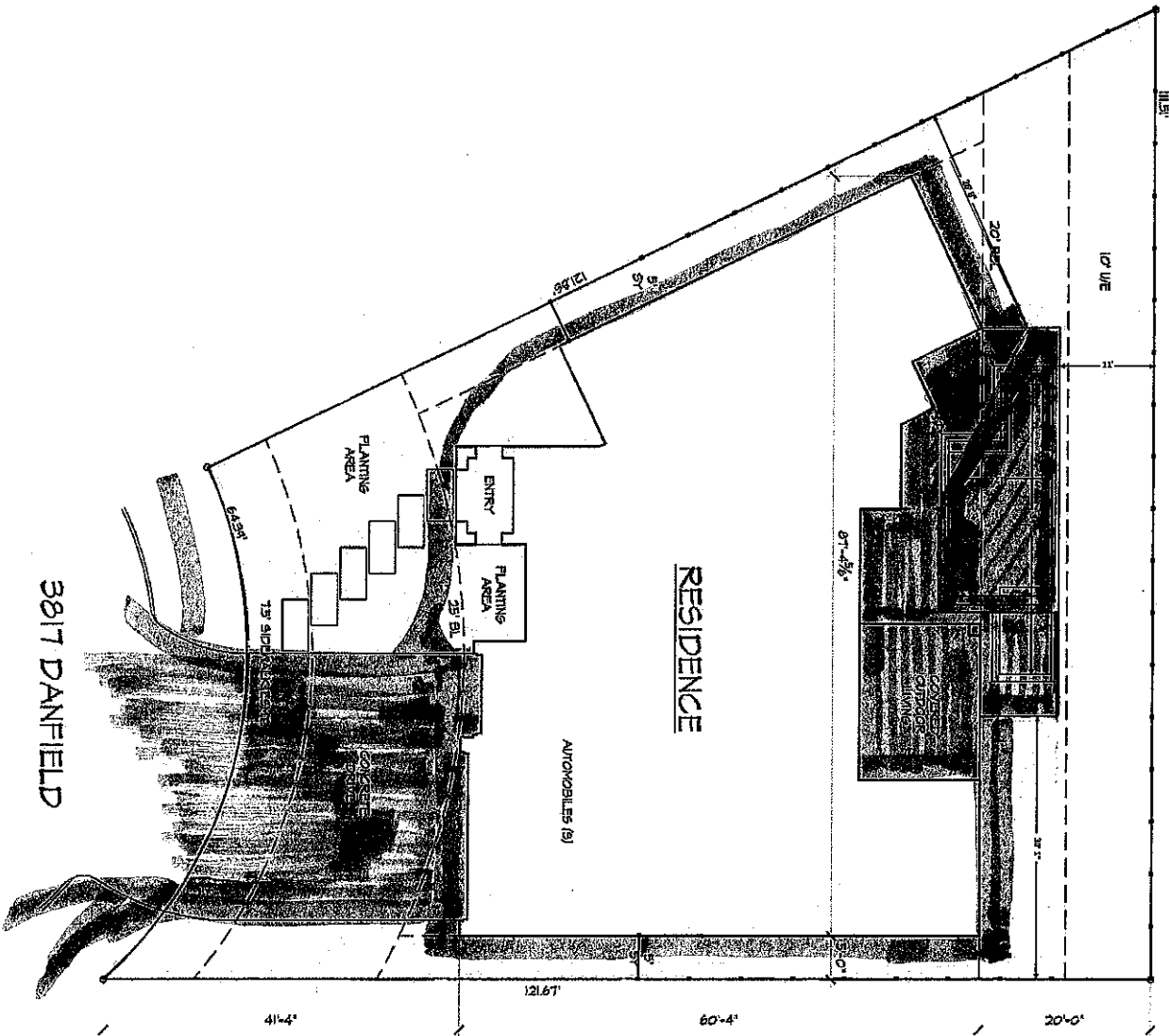
Item 2.

Our property is situated within a cul-de-sac, which inherently restricts the available land area compared to properties located on regular street lots. Cul-de-sacs are designed to maximize safety and minimize traffic flow, resulting in narrower lot sizes and reduced space for construction activities. Our lot being the smallest on the street and having the imposition of a 25-foot building line setback in the front yard, and a 10-foot easement in the back yard further exacerbates the spatial limitations imposed by the cul-de-sac configuration. While we understand this setback regulation aims to maintain uniformity and aesthetic appeal within the neighborhood but inadvertently restricts the flexibility of property owners to utilize their land effectively, which we feel we have overcome with the current home we built and live in, now affecting the design of what we would like to build as a pool to finish out our home/backyard space.

The literal interpretation of the provisions of the ordinance would deprive us, the applicant, of rights commonly enjoyed by other neighboring properties on the same street because our smaller lot on a cul-de-sac lacks front grass space to compensate for non-pervious surface. This unique constraint unfairly penalizes us for factors beyond our control, creating an inequitable situation where our property is unable to enjoy the same privileges as others in the neighborhood.

The lot's shape, size, and placement were not determined by the actions of the applicant. We are committed to responsibly utilizing the available space and adhering to the regulations while constructing a pool that aligns with the limitations of our yard. Our goal is to manage the pool's size within the confines of what our property can accommodate without encroaching on any rear easements. By doing so, we aim to maintain compliance with local regulations and ensure the preservation of neighboring properties' rights and privileges.

Our neighbors on the street boast significantly larger homes with pools, facilitated by the shape of their lots. In contrast, our lot's configuration limits our options. However, we have garnered widespread support from neighbors, evidenced by forthcoming written signatures endorsing our endeavor to install a pool on our property.



3817 DANFIELD

RESIDENCE

AUTOMOBILES (B)

PLANTING
AREA

ENTRY

PLANTING
AREA

35' BL

75' SIDE

10' U/E

121.67'

60'-4"

20'-0"

41'-4"

10' U/E

121.67'

60'-4"

20'-0"

41'-4"

10' U/E

121.67'

60'-4"

20'-0"

41'-4"

10' U/E

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121.67'

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20'-0"

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10' U/E

121.67'

60'-4"

20'-0"

LOT COVERAGE

LOT AREA	9299 S.F.
PAD AREA	3982 S.F.
COVERAGE	43%

SITE PLAN

SCALE: 1" = 20'

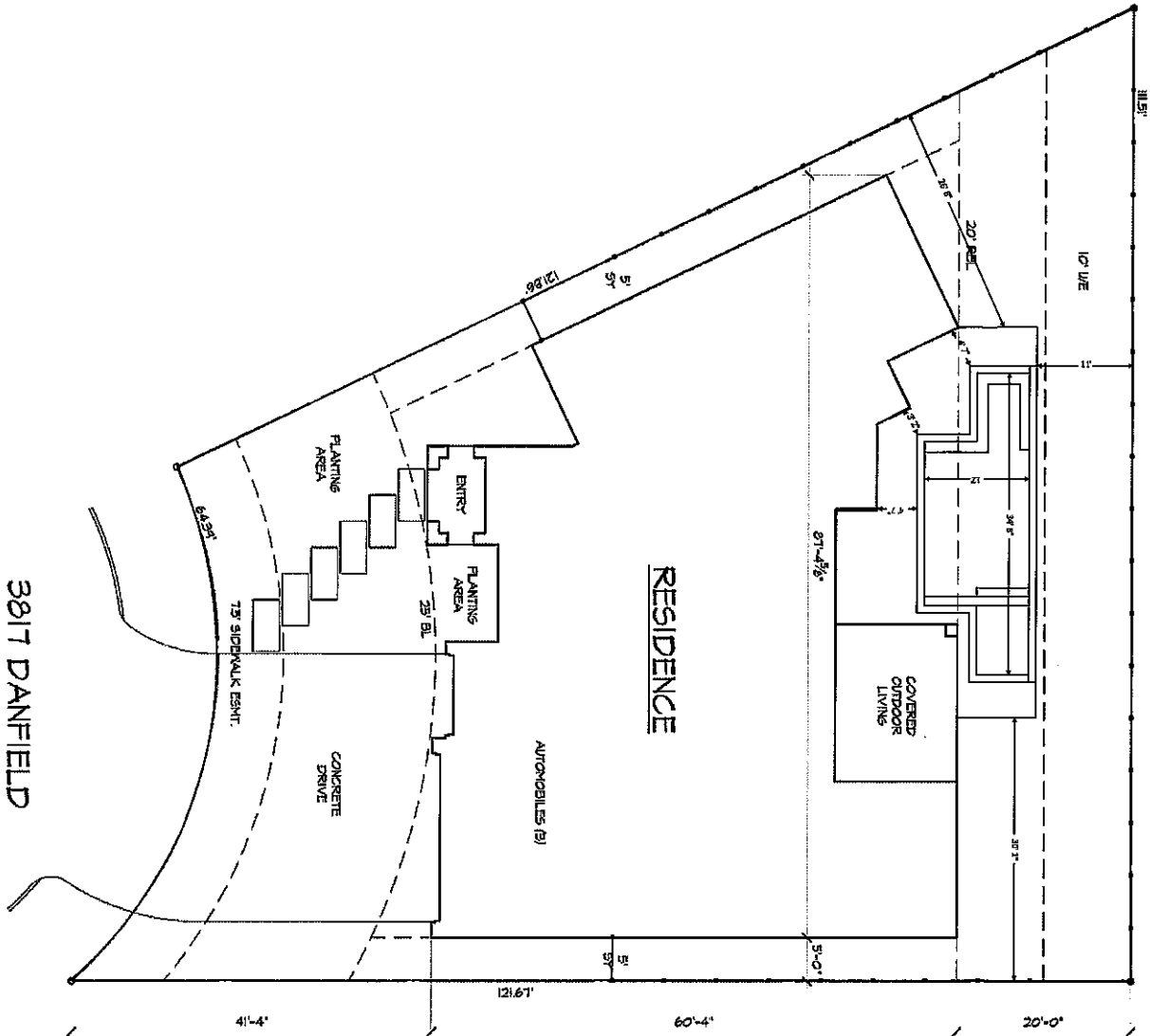
LOT 5 BLOCK 1
BROOKHAVEN #40
NORMAN, OKLAHOMA



NORTH

Grass/Landscaping





SITE PLAN

SCALE: 1" = 20'

LOT 5 BLOCK 1
BROOKHAVEN #40
NORMAN, OKLAHOMA

LOT COVERAGE

LOT AREA	9299 S.F.
PAD AREA	3982 S.F.
COVERAGE	43%

COVERT + ASSOCIATES

17810 DAVENPORT, SUITE 111, DALLAS, TX 75252
972-783-4660 BLCOVERT@HOTMAIL.COM

THE DRAGG RESIDENCE
CRYSTAL LAKES BUILDERS - CONTRACTOR
3817 DANFIELD DRIVE
NORMAN, OKLAHOMA

06-13-17

17081



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 2/28/2024

REQUESTER: Caitlin & Damien Hawkins

PRESENTER: Melissa Navarro, Planner II

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2324-12: CAITLIN & DAMIEN HAWKINS REQUEST A VARIANCE OF 80' TO 36-512(d)(4) FOR A LOT LESS THAN 330' WIDE (APPROXIMATELY 250') LOCATED AT 3400 132ND AVENUE S.E.

This item has been withdrawn.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 2/28/2024

REQUESTER: Toby Jay Townsend

PRESENTER: Justin Fish, Planner I

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2324-13: TOBY JAY TOWNSEND REQUESTS VARIANCES TO 36-516(c)(3) OF 1' TO THE 5' SIDE YARD SETBACKS FOR BOTH SIDES, AND TO 516(c)(4) OF 25' TO THE 50' REQUIRED WIDTH AND 10' TO THE REQUIRED 35' STREET FRONTAGE, AND TO 516(c)(5) OF APPROXIMATELY 443 SQ. FT. TO THE 5,000 SQ. FT. REQUIRED FOR A SINGLE-FAMILY DWELLING FOR A LEGAL NON-CONFORMING LOT LOCATED AT 914 E. COMANCHE STREET.

APPLICANT	Toby Jay Townsend
LOCATION	914 E. Comanche Street
ZONING	R-2, Two-Family Dwelling District
REQUESTED ACTION	Variances to 36-516(c)(3) of 1' to the 5' side yard setbacks for both sides, and to 516(c)(4) of 25' to the 50' required width and 10' to the required 35' street frontage, and to 516(c)(5) of approximately 443 sq. ft. to the 5,000 sq. ft. required for a single-family dwelling for a legal non-conforming lot
SUPPORTING DATA	Location Map Application with attachments Site Plan

SYNOPSIS: The applicant wishes to purchase this property to construct a single-family two-story home. The applicant is requesting several variances to the current R-2, Two-Family Dwelling District. Because of the nature of the lot the applicant is requesting 4 variances:

1. A variance to the 5,000 sq. ft. lot minimum; the subject lot is 4,557 sq. ft.
2. A variance to reduce the minimum Eastside setback of 5' by 1' (4').

3. A variance to reduce the minimum Westside setback of 5' by 1' (4').
4. A variance to reduce the minimum 50' lot width requirement by 25' and the required 35' street frontage by 10' (25')(25').

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

VARIANCE CRITERIA PER SECTION 570(k):

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

- (1) *An applicant shall submit to the Board of Adjustment a written application indicating:*
 - (a) *That special conditions and circumstances exist that are peculiar to the land, structure, or building involved and are not applicable to other lands, structures, or buildings in the same district;*
 - (b) *That the literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance;*
 - (c) *That the special conditions and circumstances do not result from the actions of the applicant;*
 - (d) *That granting the variances requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structure, or buildings in the same district;*

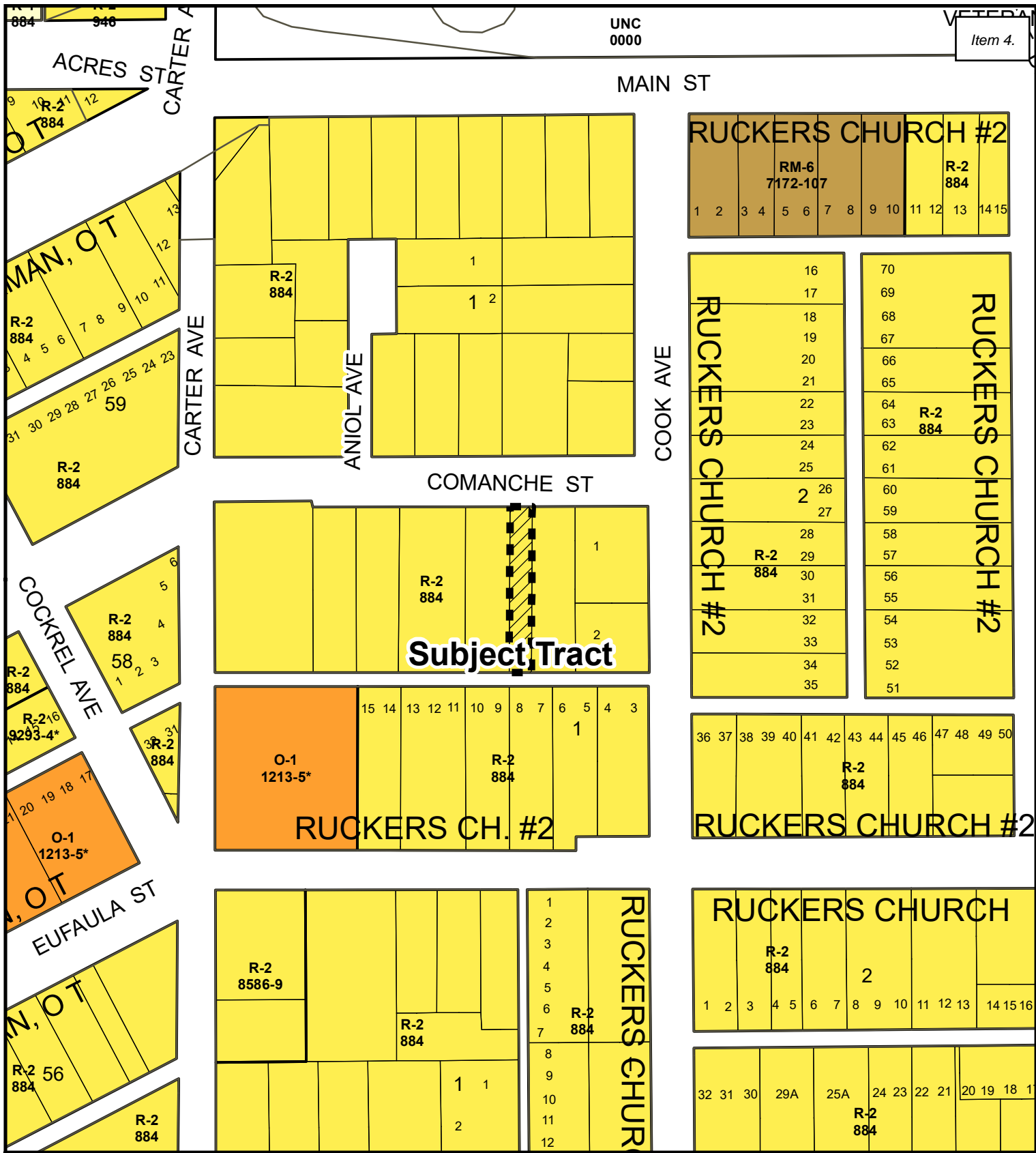
No non-conforming use of neighboring lands, structures, or buildings in the same district and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

Please see the attached justification from the applicant.

DISCUSSION: 914 E Comanche is a legal non-conforming lot that was created prior to June 29th, 1973, which was the date the City's Subdivision Regulations were adopted with a 50' lot width requirement. It is the original lot width (25') that was standard for the City of Norman at the time of its creation. Our aerial images going back to 1997 show that there was a house that existed on this lot from sometime before 1997 to 2010. This house was rather small and appeared to have 0' side yard setbacks. Sometime between 2010 and 2013, the original house was demolished and the lot has remained vacant to present day.

The proposed site plan will still meet the coverage requirements for the R-2 zoning district.

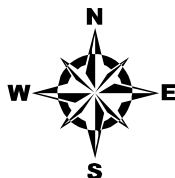
CONCLUSION: Staff forwards this request for BOA-2324-13 to the Board of Adjustment for consideration.



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.

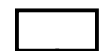


February 6, 2024

0 75 150 Ft.



Subject Tract



Zoning



Application for Variance or Special Exception
BOARD OF ADJUSTMENT

Case No. BOA 2324-13

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

APPLICANT(S) <u>Toby Jay Townsend</u>	ADDRESS OF APPLICANT <u>1006 Miller Ave.</u>
NAME AND PHONE NUMBER OF CONTACT PERSON(S) <u>Toby Jay Townsend</u> <u>(405) 637-5305</u>	EMAIL ADDRESS <u>1006 Miller Ave.</u> <u>Norman, OK 73069</u>

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)

29-9-2W .13 AC PRT SE/4 BEG 452.12'S & 339.53'E NW/C S222.38' E25' N222.38' W25' POB EXC N30'R/E & S10' FOR ALLEY

Requests Hearing for:

☒ VARIANCE from Chapter36, Section 516(c)(3),(4) & (5)☐ 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:

36-516 (C) (2) Variance to the 1' to the required 5' side setback (2x)

36-516 (C) (4) Variance of 25' to the required 50' width and a variance of 10' to the required 35'

36-516(c)(5) variance of 443sqft to the required 5,000sqft

I'm a native Normanite (OV degree) and have been teaching in SoCal for over twenty years. It's always been my dream to sellout and build a home in Norman. However, this has proven to be very difficult - all the lots near campus (Lahoma) are in Flood Zones. Finally, however, I found this lot for sale and would like to build my small dream house. - 17x60 - 1020 lot print, plus small room above.

SIGNATURE OF PROPERTY OWNER(S):

ADDRESS AND TELEPHONE:

1816 Cedar Hill Rd. 405.488.5704

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 36Section 516(c)(3),(4) & (5)☐ SPECIAL EXCEPTION to

Date Submitted:

Checked by:



CERTIFICATION OF OWNERSHIP

Case No. BOA _____

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

DATE: 2.7.24

I, Mitzi A Roberts, 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:

914 E. Comanche

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: Mitzi A Roberts

Address: 1816 Cedar Hill Rd.

Norman, OK 73072

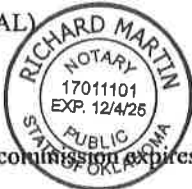
Agent's Signature: _____

Address: _____

NOTARY

Before me, the undersigned, a Notary Public in and for the State of Oklahoma, on this 7th day of February, 20 24, personally appeared Mitzi A. Roberts, 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: 12/04/25

Richard Martin
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 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:

Lot is undersized the property is sized like this because it was created before current lot size regulations.

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:

Width of the property is representative of the old lot sizes of the area.

Attest

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

This is a legal non-conforming lot created before current zoning regulations.

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:

The variance will allow development of the property similarly to others in the neighborhood.

Attest

Filed: 10-31-2008 04:40:44 PM

Doc Number: R 2008 42308

Book: RB 4549 Page:980

Revenue: \$40.50

Doc#:R 2008 42308
Bk&Pg:RB 4549 980
Filed:10-31-2008 JRB
04:40:44 PM WD
Cleveland County, OK

WARRANTY DEED
(Statutory Form)

KNOW ALL MEN BY THESE PRESENTS:

THAT **Rick Kirby and Kerri Kirby, Husband and Wife**, party of the first part, in consideration of the sum of Ten Dollars (\$10.00), and other valuable consideration, in hand paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto **Mitzi A. Roberts**, party(ies) of the second part, the following described real property and premises situated in Cleveland County, State of Oklahoma, to-wit:

A part of the Southeast Quarter (SE/4) of Section Twenty-nine (29), Township Nine (9) North, Range Two (2) West of the Indian Meridian, Cleveland County, Oklahoma, described as follows: Beginning at a point 452.12 feet South and 339.53 feet East of the Northwest Corner of said Quarter Section; thence South 222.38 feet; thence East 25 feet; thence North 222.38 feet; thence West 25 feet to the Place of Beginning, less a strip 30 feet wide off the North side for street purposes, and less a strip 10 feet wide off the South for alley purposes.

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

LESS AND EXCEPT any interest in and to all of the oil, gas and other minerals which have been previously reserved or conveyed of record. AND SUBJECT to Existing Zoning Ordinances, Easements, Rights-of-Way or Restrictive Covenants of record.

TO HAVE AND TO HOLD said described premises unto the said party(ies) of the second part, their heirs, successors and assigns, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and delivered this 31st day of October, 2008.

Rick Kirby

State of Oklahoma
Cleveland County
Documentary Stamps
\$ 40.50

Herri Kirby
Kari Kirby

State of Oklahoma
County of Cleveland

Before me, the undersigned, a Notary Public, in and for said County and State, on this 31st day of October, 2008, personally appeared **Rick Kirby and Kerri Kirby, Husband and Wife**, to me known to be the identical person(s) 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.

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

My Commission Expires:

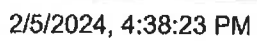


Notary Public

Cleveland County Abstract Company
2460 Boardwalk, Norman, Ok 73069
CCA File #S01729

Mail Deed and Tax Statement To:

Mail Decd and Tax Statement To:
1816 Cedar Hill Road
Norman OK 73072



City of Norman, Interactive Map
The City of Norman assumes no responsibility of errors or omissions in the information presented.