

CITY OF NORMAN, OK BOARD OF ADJUSTMENT MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Wednesday, April 26, 2023 at 4:30 PM

AGENDA

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

ROLL CALL

MINUTES

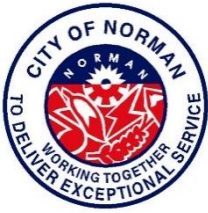
1. Consideration of Approval, Rejection, Amendment, and/or Postponement of the Minutes of the February 22, 2023 Board of Adjustment Meeting.

ACTION ITEMS

2. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-15: Hillel Foundation requests a Variance to 36-517(d)(5), the impervious area, for a new building to replace the existing building located 494 Elm Avenue.
3. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-11: James Hardwick requests Special Exception to permit the extension of a district where the boundary line of a district divides a lot in single ownership as shown of record (36-570(g)(2)(a)) for Lot One, Block One, of Amended Plat of SOUTH LAKE ADDITION Section 7, located at 1900 Ann Branden Boulevard.
4. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-12: Howard Pollack requests a Variance of 12.5' to 36-516(c)(4), the lot width requirement, and a Variance of 425 sq. ft. to 36-516(c)(5)(a), the lot area requirement, for a legal, non-conforming lot located at 125 W. Himes Street.
5. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-13: Metro Sign, on behalf of the Church of Christ, requests a Variance to 28-508(a)(2)(b) to the front setback for a digital monument sign at 1660 24th Avenue S.E.
6. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-14: Swiftco, on behalf of Vytautas and Sue Ringus, requests a Variance to 36-514(d) for a new garage located at 530 W. Eufaula Street (and 305 College Avenue).

MISCELLANEOUS COMMENTS

ADJOURNMENT



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 04/26/2023

REQUESTER:

PRESENTER: Roné Tromble, Admin. Tech. IV

ITEM TITLE: Consideration of Approval, Rejection, Amendment, and/or Postponement of the Minutes of the February 22, 2023 Board of Adjustment Meeting.

ACTION NEEDED: Approve, reject, amend, or postpone the February 22, 2023 Minutes.



CITY OF NORMAN, OK BOARD OF ADJUSTMENT MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Wednesday, February 22, 2023 at 4:30 PM

MINUTES

The Board of Adjustment of the City of Norman, Cleveland County, Oklahoma, met in Regular Session in City Council Chambers of the Norman Municipal Complex, 201 West Gray Street, at 4:30 p.m., on Wednesday, February 22, 2023. Notice and agenda of said meeting were posted in the Municipal Building at the above address and at <https://www.normanok.gov/your-government/public-information/agendas-and-minutes> 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.

ROLL CALL

PRESENT

Brad Worster
Micky Webb
Ben Bigelow
James Howard
Curtis McCarty

A quorum was present.

STAFF PRESENT

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

MINUTES

1. Consideration of Approval, Rejection, Amendment, and/or Postponement of the Minutes of the January 25, 2023 Regular Board of Adjustment Meeting.

Motion made by Brad Worster, Seconded by Micky Webb, to approve the minutes of the January 25, 2023 Regular Board of Adjustment meeting as presented.

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

The motion to approve the minutes of the January 25, 2023 Board of Adjustment meeting passed by a vote of 5-0.

* * *

ACTION ITEMS

2. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-10: Hymer Hall #4, L.L.C. and Carol A. Iman request a Variance to 22:431.4 (1)(a), the Exterior Appearance requirements, for an addition to an existing building at 1300 Lindsey Plaza Drive.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Application with Attachments
3. Sec. 431.4 – Exterior Appearance
4. Staff Report
5. Revised Elevations

PRESENTATION BY STAFF:

1. Lora Hoggatt reviewed the staff report, a copy of which is filed with the minutes. The applicant is proposing masonry of dry stack stone wall panels covering the front of the existing building and the front of the proposed building, which would be a total of 27% masonry for the building.

PRESENTATION BY THE APPLICANT:

1. Rudy Hymer, 1217 Lindsey Plaza, representing the applicant – presented the revised request. They decided to do all the front façade on both buildings so it has a good appearance from the front. Most of the sides are not very visible; the back backs up to an alley.
2. Mr. Worster said it looks like the pitch on the roof was increased and the south side wall was lowered.
3. Mr. Hymer responded they decided to make it symmetrical so the building will look symmetrical.
4. Mr. Bigelow asked how the total masonry front would compare to a skirt all the way around the building as far as the percentage.
5. Greg Iman responded that he had not done those calculations.

AUDIENCE PARTICIPATION: None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

1. Mr. Worster made comments about calculations he had done. He would like to see the masonry wrap the corners a little bit.
2. Mr. Webb commented he thought the proposal was a good compromise in light of their original request for no masonry. Mr. Bigelow agreed.

Motion made by Micky Webb, Seconded by Ben Bigelow, to approve BOA-2223-10 with 27% exterior masonry for the existing and proposed building as requested.

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

The motion to approve BOA-2223-10 as requested, with 27% masonry, was adopted by a vote of 5-0.

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

* * *

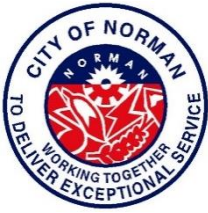
MISCELLANEOUS COMMENTS

1. Ms. Muckala provided some clarification about her comments from the January meeting regarding 22:419 and 22:431.4 with regard to the application before the Board at this meeting.

ADJOURNMENT

There being no further business and no objection, the meeting adjourned at 4:42 p.m.

Secretary, Board of Adjustment



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 04/26/2023

REQUESTER: Hillel Foundation

PRESENTER: Melissa Navarro, Planner I

ITEM TITLE: Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-15: Hillel Foundation requests a Variance to 36-517(d)(5), the impervious area, for a new building to replace the existing building located 494 Elm Avenue.

ACTION NEEDED: Approve, reject, amend, or postpone the Variance for BOA-2223-15.

Board of Adjustment
 April 26, 2023
 BOA-2223-15

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Hillel Foundation
LOCATION	494 Elm Avenue
ZONING	R-3, Multi-Family Dwelling District
REQUESTED ACTION	Variance to 36-520(c)(7), the maximum impervious area requirement of 65%
SUPPORTING DATA	Location Map Application with attachments Site Plan

SYNOPSIS: The applicant plans to redevelop this property with a new building for the Hillel Foundation. The proposed plan includes an impervious area of 76%. The maximum percentage of impervious area in the R-3, Multifamily Dwelling District, is 65%. The applicant is requesting a variance of 11%.

The application and the existing and proposed site plans are attached for your review.

VARIANCE CRITERIA PER SECTION 570(k):

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

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

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

The applicant provided responses to the four variance criteria. Please see the attached Existing Variance Conditions sheet to review their response.

DISCUSSION: The existing structure on this property was built in 1951, prior to the adoption of the zoning ordinance. The Hillel Foundation would like to demolish the existing structure and rebuild in a similar location and footprint. The current impervious area is 84%. The proposed development is going to lower this percentage to 76%.

CONCLUSION: Staff forwards this request for BOA-2223-15 to the Board of Adjustment for consideration.



Application for Variance or Special Exception
BOARD OF ADJUSTMENT

Item 2.

Case No. BOA 2223-15

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

APPLICANT(S) HILLEL FOUNDATION, 494 Elm AVE, Norman, 73069	ADDRESS OF APPLICANT 494 Elm AVE, Norman, 73069
NAME AND PHONE NUMBER OF CONTACT PERSON(S) Matt Peacock, Architect, 405.990.8249	EMAIL ADDRESS matt@peacockdesign.com

Legal Description of Property: LINCOLN LOT 16 BLK 1

Requests Hearing for:

- ☒ VARIANCE from Chapter 36, Section 520(c)(7)
☐ SPECIAL EXCEPTION to _____

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

The original structure was constructed in 1951, prior to the adoption of the R-3 zoning ordinance. At that time, along with many other properties in that area, the building and parking lot were constructed in a manner that exceeded the 65% coverage ratio found in the adopted R-3 zoning. The existing building has surpassed it's effective life, and unfortunately it must be demolished. We are requesting to construct a new building in approximately the same footprint as the existing building, and to keep the parking at it's existing footprint, thereby seeking a variance to the coverage ratio. We will not be increasing the amount of impervious surface on the site.

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

SIGNATURE OF PROPERTY OWNER(S):

Kasi Shelton

ADDRESS AND TELEPHONE:

494 Elm Ave, Norman, OK 73069

OFFICE
USE
ONLY

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

- ☒ VARIANCE from Chapter 36,
Section 520(c)(7)
☐ SPECIAL EXCEPTION to _____

Date Submitted:

4-6-2023

Checked by:

[Signature]



BOARD OF ADJUSTMENT
FUNCTION AND REVIEW PROCEDURES

Item 2.

(Revised 03/23)

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

EXISTING VARIANCE CONDITIONS:

There are special conditions or circumstances peculiar to the land or structure involved:

Yes, the existing site was constructed prior to the adoption of the R-3 ordinance.

Attest

Matthew Peacock

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

Yes, other buildings in the area exceed the allowable coverage ratio.

Attest

Matthew Peacock

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

Yes, this was allowable construction at the time it was originally built.

Attest

Matthew Peacock

The granting of the Variance will not confer special privileges on the applicant that are denied to other lands and/or structures in the same district:

Yes, other buildings in the area exceed the allowable coverage ratio.

Attest

Matthew Peacock

5879

GENERAL FORM

WARRANTY DEED

STATE OF OKLAHOMA
COUNTY OF CLEVELAND

FILED FOR RECORD

Aug. 15 1952 11:10 A.M.

Book 204 Page 421

HELEN JANSING, Clerk

By *Thelma Draper* Deputy

KNOW ALL MEN BY THESE PRESENTS:

That

MONNIE E. SAMUELS, a widow

party

of the first part, in consideration of

the sum of Ten or more

DOLLARS

in hand paid, the receipt of which is hereby acknowledged, do es hereby grant, bargain, sell and convey unto Oklahoma B'NAI B'BRITH HILLEL FOUNDATION,
A Corporation

second part, the following described real property and premises situated in Cleveland County, State of Oklahoma, to-wit:

The West 152.5 feet of Lot Sixteen (16),

Lincoln Addition to the City of Norman, Oklahoma,

as shown on the recorded plat thereof -



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

To Have and to Hold said described premises unto the said part y of the second part its heirs and assigns forever, free, clear and discharged of and from all former grants, charges, taxes, and judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and delivered this 15th day of August 19 52

Monnie E. Samuels

INDIVIDUAL ACKNOWLEDGMENT

State of Oklahoma, Cleveland County, ss.

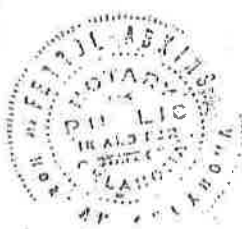
Before me, the undersigned, a Notary Public, in and for said County and State, on this 15th day of August 19 52, personally appeared

Monnie E. Samuels, a widow -

to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

Witness my hand and official seal the day and year last above written.

My Commission Expires June 18-1953 *Fernal Adkins*
Notary Public



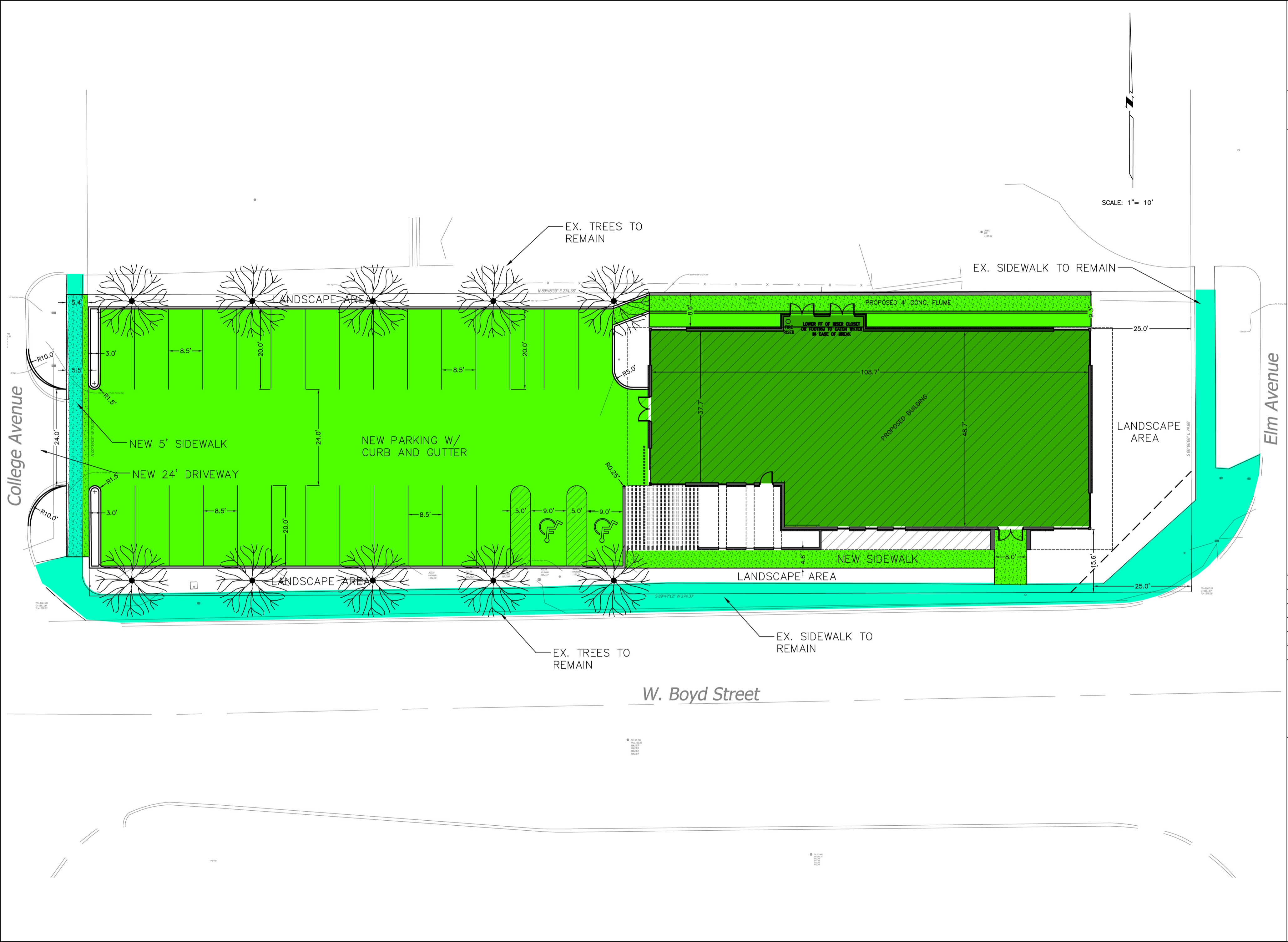
This document contains confidential information. It is an instrument of service and property of PEACOCK DESIGN LLC. It shall not be used on other projects or for the extension of this project without the written approval of PEACOCK DESIGN LLC. Do Not Reproduce

NEW PROJECT PLANS FOR:
HILLEL AT THE UNIVERSITY OF OKLAHOMA
494 ELM AVE
NORMAN, OK

JOB # : 0383 - 001
DATE : 2 . 28 . 2023
SCALE : AS SHOWN
SHEET NAME : SITE PLAN
SHEET # : C1.0
REVISION # :

2426 N Classen Blvd
Oklahoma City, OK 73106
(405)577-2604
www.PEACOCKDESIGN.com

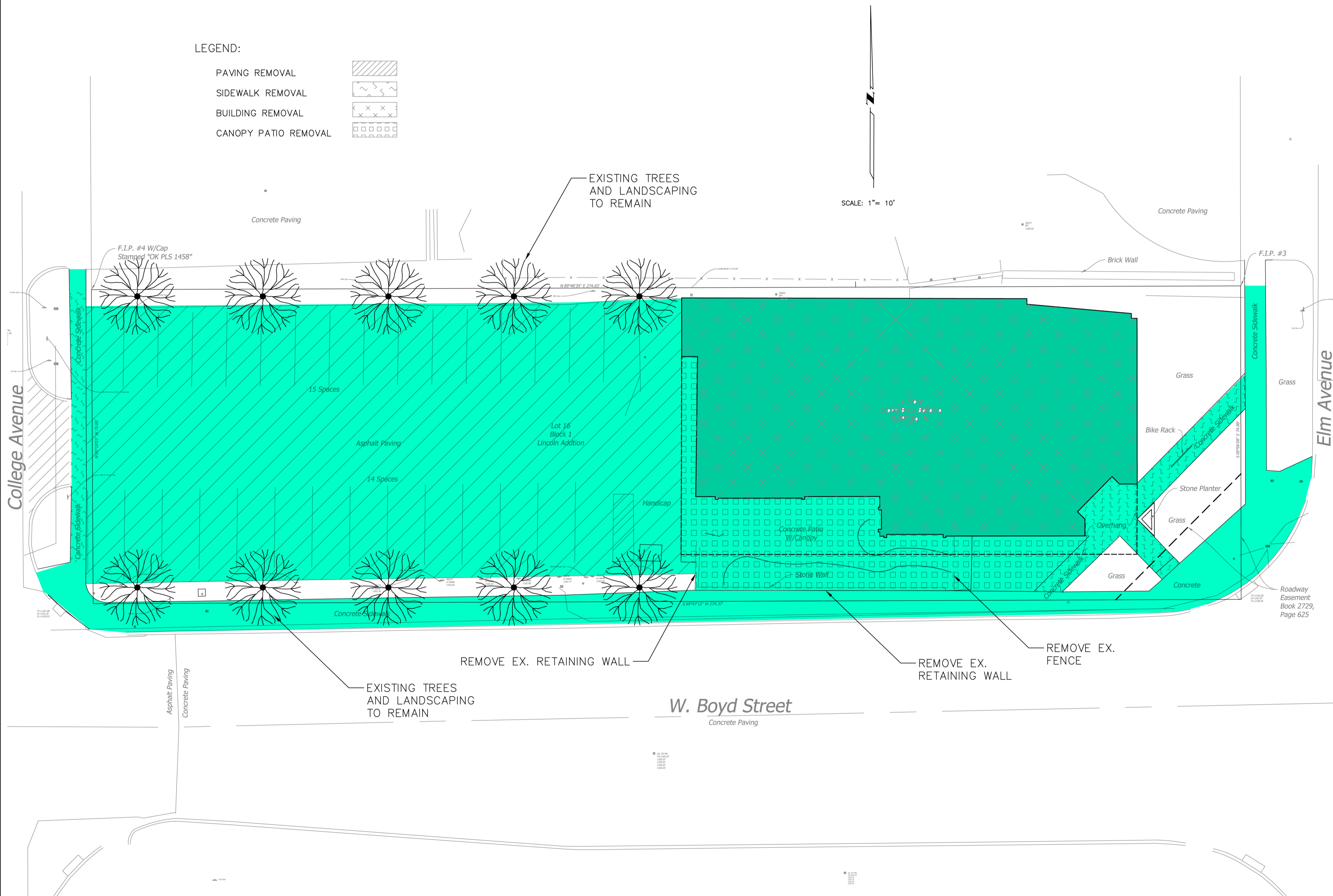
CERTIFICATE OF AUTHORIZATION:
#8609 EXP: JUNE 30, 2023
#03172 EXP: JUNE 30, 2023



494 ELM AVE
NORMAN, OK

JOB # :	0383 - 001
DATE :	2 . 28 . 2023
SCALE :	AS SHOWN
SHEET NAME :	DE
SHEET # :	C2.0
REVISION # :	

CERTIFICATE OF AUTHORIZATION:
#8609 EXP: JUNE 30, 2023
#03172 EXP: JUNE 30, 2023





CITY OF NORMAN, OK STAFF REPORT

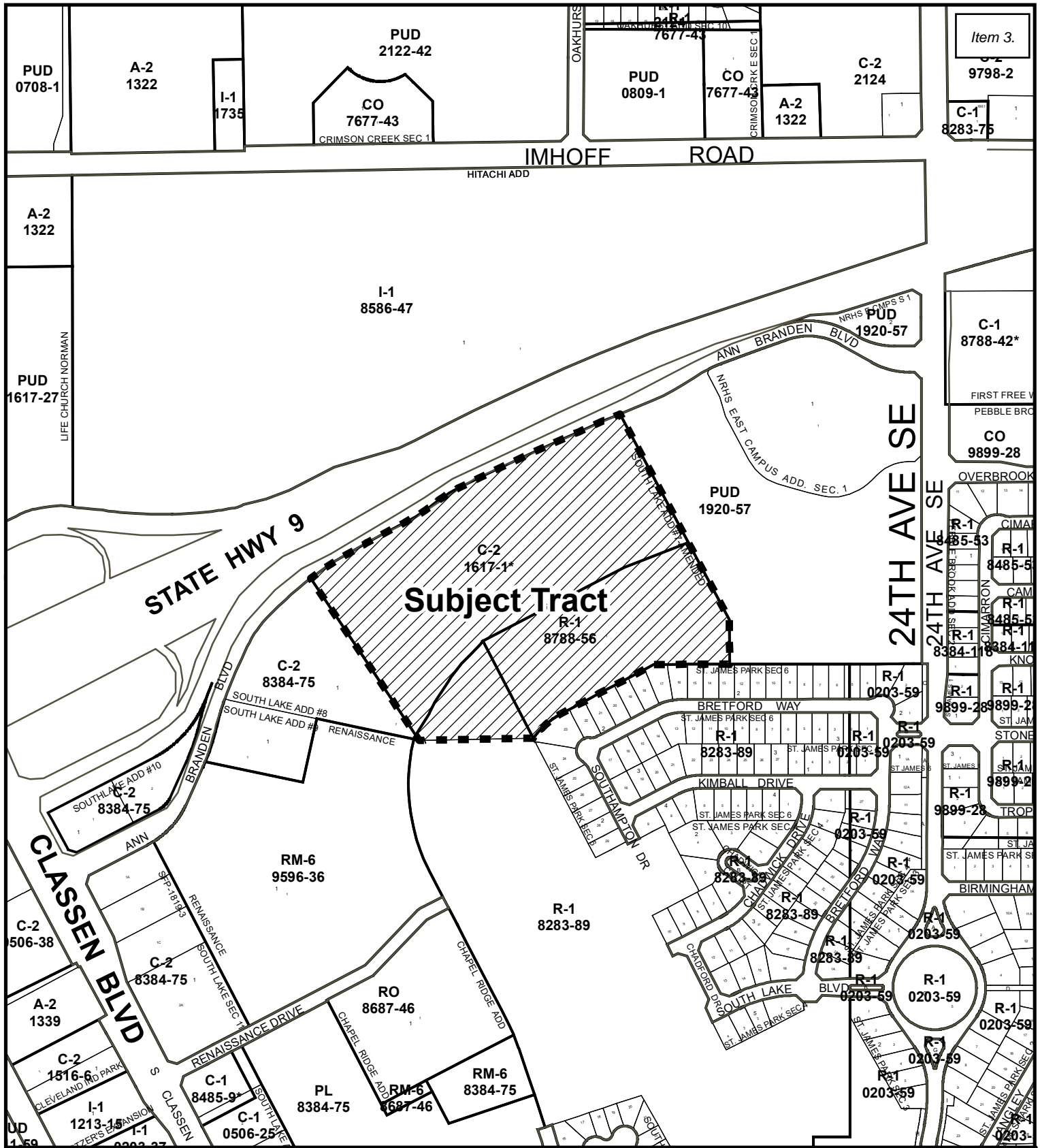
MEETING DATE: 04/26/2023

REQUESTER: James Hardwick

PRESENTER: Melissa Navarro, Planner I

ITEM TITLE: Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-11: James Hardwick requests Special Exception to permit the extension of a district where the boundary line of a district divides a lot in single ownership as shown of record (36-570(g)(2)(a)) for Lot One, Block One, of Amended Plat of SOUTH LAKE ADDITION Section 7, located at 1900 Ann Branden Boulevard.

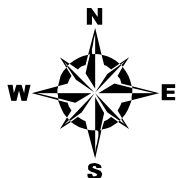
ACTION NEEDED: Approve, reject, amend, or postpone the Special Exception for BOA-2223-11.



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.



April 6, 2023

0 250 500 Ft.



Subject Tract



Zoning



Date: April 26, 2023

To: Board of Adjustment

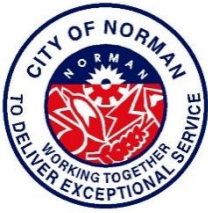
From: Melissa Navarro, Planner I

Subject: Item No. 3: Postponement of BOA-2223-11

The applicant has requested postponement of this item to the May 24, 2023 Board of Adjustment meeting.

Staff recommends that the Board of Adjustment postpone this item to their May 24, 2023 meeting.

office memorandum



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 04/26/2023

REQUESTER: Howard Pollack

PRESENTER: Melissa Navarro, Planner I

ITEM TITLE: Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-12: Howard Pollack requests a Variance of 12.5' to 36-516(c)(4), the lot width requirement, and a Variance of 425 sq. ft. to 36-516(c)(5)(a), the lot area requirement, for a legal, non-conforming lot located at 125 W. Himes Street.

ACTION NEEDED: Approve, reject, amend, or postpone the Variance for BOA-2223-12.

Board of Adjustment
 April 26, 2023
 BOA-2223-12

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Howard Pollack
LOCATION	125 W. Himes Street
ZONING	R-2, Two-Family Dwelling District
REQUESTED ACTION	Variance to 36-516(c)(4), minimum lot width of 50 ft., and Variance to 36-516(c)(5)(a), minimum lot area 5,000 sq. ft. for a legal, non-conforming lot
SUPPORTING DATA	Location Map Application with attachments Site Plan

SYNOPSIS: The applicant plans to replace the existing building with a new 1,125 sq. ft. house. Because this is a non-conforming lot, the applicant is requesting two variances:

1. A variance of 12.5' under the required 50' lot width, 25% variance.
2. A variance of 125 sq. ft. under the required 5,000 sq. ft., 2.5% variance.

The application and the site plan are attached for your review.

VARIANCE CRITERIA PER SECTION 36-570(k):

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

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

- (d) That granting the variances requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structure, or buildings in the same district;

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

The applicant provided responses to the four variance criteria. Please see the attached Existing Variance Conditions sheet to review their response.

DISCUSSION: This subdivision was platted in 1902 and developed in 1935, prior to Norman's Zoning Ordinance adoption in 1954. The lot width and area vary within the same block, where all the lots are developed. Other than the two variances requested with this application, the proposed building complies with the current zoning requirements.


CONCLUSION: Staff forwards this request for BOA-2223-12 to the Board of Adjustment for consideration.



Application for Variance or Special Exception
BOARD OF ADJUSTMENT

Case No. BOA 2223-12

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

APPLICANT(S) 	ADDRESS OF APPLICANT <u>125 W. Himes</u>
NAME AND PHONE NUMBER OF CONTACT PERSON(S) <u>Robert Spencer 4058869679</u>	EMAIL ADDRESS <u>tilealott7@gmail.com</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)

Lot 24 and the West half (W/2) of Lot 25, in Block 19, of Highland Addition.

Requests Hearing for:

☒ VARIANCE from Chapter 36, Section 516(c)4 and 5

☐ SPECIAL EXCEPTION to _____

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

This is a legal, non conforming lot. It is 37.5 feet wide, so it is 12.5 feet or 25% under the soft requirement on section 516(c)4 of the zoning ordinance. Also, the lot area 4875 sq. ft, 125 sq. ft or 2.5% under the 5000 sq. ft requirement on section 516(b)5.

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

SIGNATURE OF PROPERTY OWNER(S):

ADDRESS AND TELEPHONE:

P.O. Box 2308 Norman, OK 73070
405-514-7095

OFFICE USE ONLY

- ☒ Application
☒ Proof of Ownership
☒ Certified Ownership List and Radius Map
☒ Site Plan
☒ Filing Fee of \$ 200.00
☐ Emailed Legal Description in Word Document

☒ VARIANCE from Chapter 36

Section 516(c)(4)&(5)

☐ SPECIAL EXCEPTION to _____

Date Submitted:

4-4-2023

Checked by:

mt



CERTIFICATION OF OWNERSHIP

Case No. BOA _____

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

DATE: _____

I, Howard Fink, 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: _____

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



BOARD OF ADJUSTMENT
FUNCTION AND REVIEW PROCEDURES

Item 4.

(Revised 01/21)

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

EXISTING VARIANCE CONDITIONS:

There are special conditions or circumstances peculiar to the land or structure involved:

Yes, it is a legal, non conforming lot, $37.5 \times 130_{sq.ft} = 4875_{sq.ft}$

Attest

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

Highland addition was platted in 1902... with 25' wide lots. Many of the paper-ties combined two lots for a parcel of 50' x 130'. There are at least four lots of a similar size in blocks 19 and 20.

The existing house was built in 1935.

Attest

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

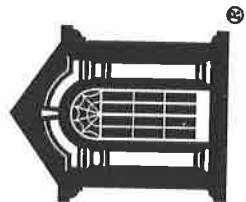
See the above answer.

Attest

The granting of the Variance will not confer special privileges on the applicant that are denied to other lands and/or structures in the same district:

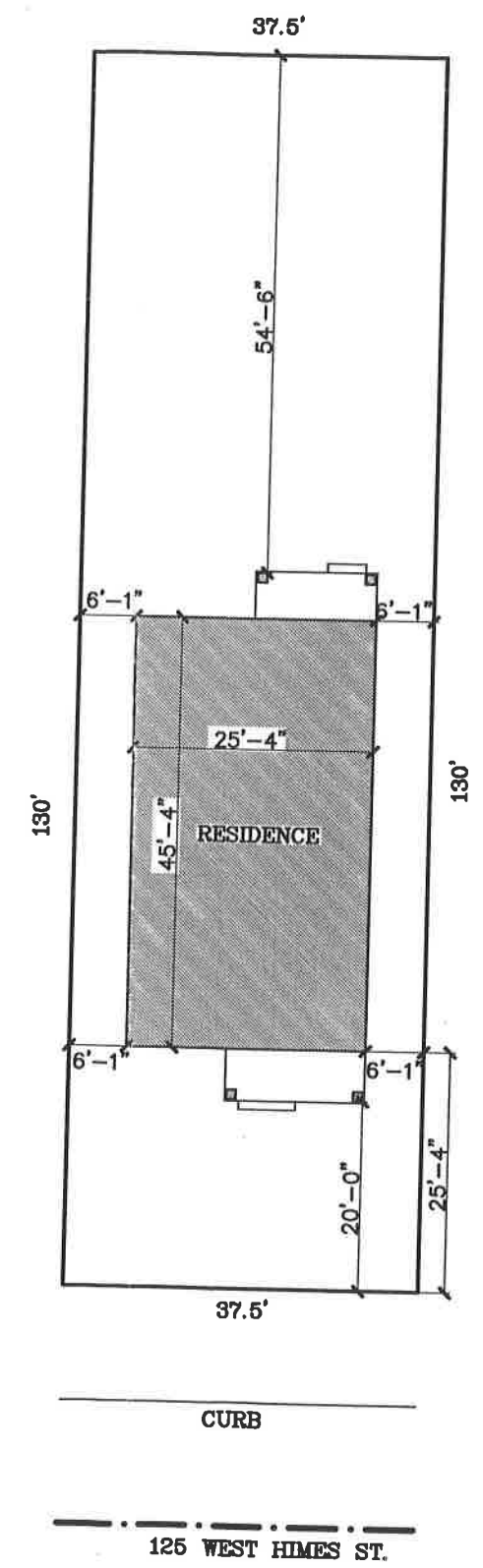
The properties mentioned in number two above, have all been developed.

Attest



B R E N T G I B S O N
CLASSIC HOME DESIGN

415 W 15th Street Ste 1, Edmond OK 73013 • (405) 340-1980 • www.brentgibson.com



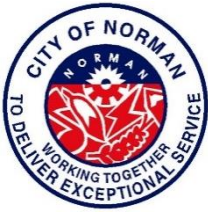
125 WEST HIMES ST.
NORMAN, OKLAHOMA

ROBB SPENCER
OWNERS

SITE PLAN

SCALE: 1"=20'-0"

SITE PLAN IS BASED ON THE SURVEYOR/ENGINEERS PLAT OF THE PROPERTY. OWNER/BUILDER TO VERIFY ALL BOUNDARIES, SETBACKS, AND, EASEMENTS BEFORE PROCEEDING WITH THE PROJECT. ALL APPLICABLE PERMITS SHALL BE OBTAINED BEFORE EXCAVATING. VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE, NOTIFY DESIGNER OF ANY DISCREPANCIES BEFORE PROCEEDING.



CITY OF NORMAN, OK STAFF REPORT

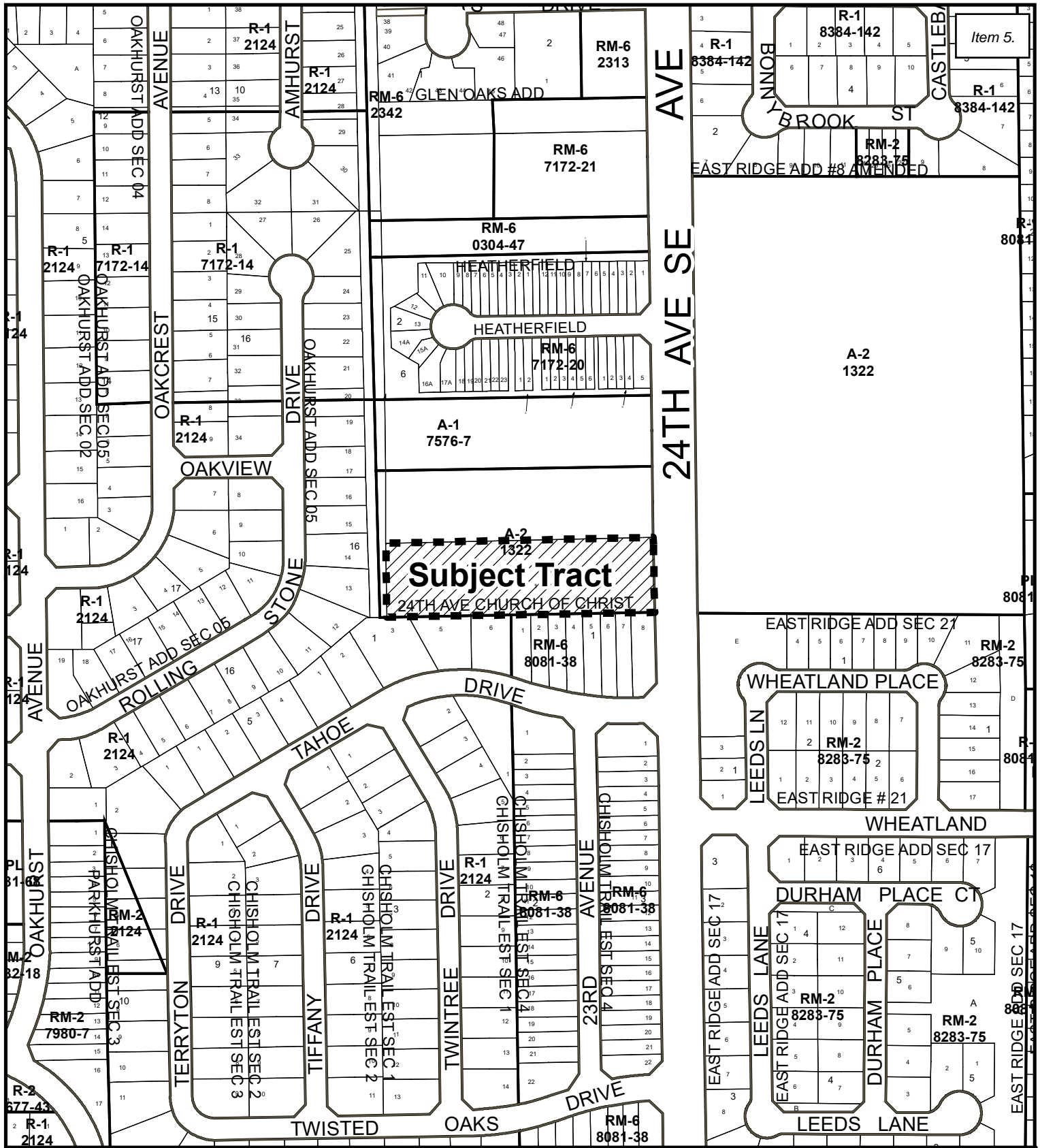
MEETING DATE: 04/26/2023

REQUESTER: Church of Christ

PRESENTER: Kelvin Winter, Code Compliance Supervisor

ITEM TITLE: Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-13: Metro Sign, on behalf of the Church of Christ, requests a Variance to 28-508(a)(2)(b) to the front setback for a digital monument sign at 1660 24th Avenue S.E.

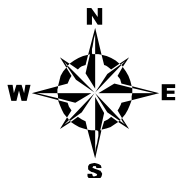
ACTION NEEDED: Approve, reject, amend, and/or postpone the Variance for BOA-2223-13.



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.



April 6, 2023

0 150 300 Ft.



Subject Tract



Zoning

Board of Adjustment
 April 26, 2023
 BOA-2223-13

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Metro Sign, on behalf of Church of Christ
LOCATION	1660 24 th Avenue S.E.
ZONING	A-2, Rural Agricultural District
REQUESTED ACTION	VARIANCE of 49' to the 50' setback requirement in 28-508(a)(2)(b)
SUPPORTING DATA	Location Map Application with attachments Drawing of Proposed Sign

SYNOPSIS: The applicant requests a 49' variance to the required 50' setback from the property line for a digital electronic monument sign. Alternately, there is an option of 100' from the centerline of the adjacent roadway, whichever is greater, but the variance for that option is equidistant as that from the property line. The digital electronic monument sign will be two-sided for viewing from north and south bound traffic on 24th Avenue SE and the applicant requests it to be placed about 1.5' inside the property line. The restrictions for height and square footage will meet the requirements of 28-508(b)(1)(d) and the applicable portions of 28-413 before approval of the permit.

The application, existing and proposed site plans are attached for your review.

VARIANCE CRITERIA PER 36-570(k)(5):

A variance from the terms of Chapter 36 of this code shall not be granted by the Board of Adjustment unless and until an applicant shall comply with all provisions of this section and also indicate by written application that:

- (a) There are special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structure or other matters on right-of-way, which would substantially restrict the effectiveness of the sign in question; provided, however, that such special circumstances or conditions must be peculiar to the particular business or enterprise to which the applicant desired to draw attention and do not apply generally to all business or enterprises.
- (b) The variance would be in general harmony with the purposes of this code, and specifically would not be injurious to the neighborhood in

which the business or enterprise to which the applicant desired to draw attention is located.

- (c) The variance is the minimum one necessary to permit the applicant to reasonably draw attention to his business or enterprise.

The applicant provided responses to the three variance criteria. Please see the attached Existing Sign Variance Conditions sheet to review their response.

DISCUSSION: The proposed sign variance would place the requested digital electronic monument sign behind the sidewalk so it can be viewed by the public traveling along 24th Avenue SE. The 50' setback requirement would not allow the sign to be adequately viewed due to fencing and trees on the neighboring properties to the north and south of applicant. This property is already developed; placing the sign at the 50' setback would place it in the middle of the existing parking lot. With the requested variance, the proposed sign would meet the requirement to be 20' from the closest street. Digital electronic signs are required to be 50' from a signalized intersection; the proposed sign would meet this criterion. The adjacent property to the north is also zoned A-2 (currently a residential use), and the property to the south is zoned RM-6. The property across the street to the east is zoned A-2 (Reagan Elementary) and R-2 across 24th Avenue to the southeast of applicant property.

CONCLUSION: Staff forwards this request for BOA-2223-13 to the Board of Adjustment for consideration.



Application for Variance or Special Exception
BOARD OF ADJUSTMENT

Case No. BOA 2923-13

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

APPLICANT(S) Metro Sign	ADDRESS OF APPLICANT 401 N. Ann Arbor
NAME AND PHONE NUMBER OF CONTACT PERSON(S) Brittany Lander	EMAIL ADDRESS Brittany@metrosigns.com

Legal Description of Property: LOT 1 Block 1 24th Ave. Church of Christ.

Requests Hearing for:

☒ VARIANCE from Chapter 22, Section 103

☒ SPECIAL EXCEPTION to _____

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

The Norman City code has a regulation of 50' setback from the property line for signs,

however the establishment of Church of Christ- Norman-1660 24th Ave The requested variance seeks to have a less than 50' set back A 50' setback would locate the sign in an ineffective area. The residential fences, on both sides of the church property, are located much closer to the road than the 50' set back.

Moving the sign closer to the road allows the cars on 24th Ave SE to see the sign.

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

SIGNATURE OF PROPERTY OWNER(S):

Jeremy Humphers

Jeremy Humphers, Deacon & Treasurer

The Church of Christ of Norman Oklahoma

ADDRESS AND TELEPHONE:

1660 24th Avenue SE, Norman, OK 73071

405-850-5447

OFFICE USE ONLY

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

☒ VARIANCE from Chapter 28

Section _____

☐ SPECIAL EXCEPTION to _____

Date Submitted:

4-5-2013

Checked by: _____



CERTIFICATION OF OWNERSHIP

Case No. BOA _____

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

DATE: April 4, 2023

I, Jeremy Humphers, Deacon & Treasurer, hereby certify and attest that I am the owner, or that I have an option to purchase the following described property in the City of Norman:

Lot 1 Block 1 24th Ave

1660 24th Avenue SE, Norman, OK 73071

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: *Jeremy Humphers*

Address: 1660 24th Avenue SE, Norman, OK 73071

Agent's Signature: N/A

Address: N/A

NOTARY

Before me, the undersigned, a Notary Public in and for the State of Oklahoma, on this 4th day of April, 2023, personally appeared Jeremy Humphers, 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: 01/20/2027

Cheree Russell
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
FUNCTION AND REVIEW PROCEDURES

Item 5.

(Revised 01/21)

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

EXISTING SIGN VARIANCE CONDITIONS

There are special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structure, or other matters on right-of-way, which would substantially restrict the effectiveness of the sign in question; provided, however, that such special circumstances or conditions must be peculiar to the particular business or enterprise to which the applicant desired to draw attention and do not apply generally to all businesses or enterprises:

The neighboring trees to the North and the fence to the North and South impede the sight of the sign.

Attest

BL

The variance would be in general harmony with the purposes of the code, and specifically would not be injurious to the neighborhood in which the business or enterprise to which the applicant desired to draw attention is located:

School Reagan Elementary across the street has an electronic message center sign that is closer to 24th Ave. than ours. The electronic message center can be programmed to not disturb the neighboring residential areas.

Attest

BL

The variance is the minimum one necessary to permit the applicant to reasonably draw attention to his business or enterprise:

The Norman City code has a regulation of 50' setback from the property line for signs, however the establishment of Norman Church of Christ 1660 24th Ave The requested variance is to have the location of the monument sign less than the required 50' setback, this will allow the sign to be seen from 24TH ave.

Attest

BL

NORMAN CHURCH OF CHRIST

Item 5.

JOB DESCRIPTION:

~FABRICATE AND INSTALL~

- New Signage

To be installed at customer location

ALL DESIGN WORK COPYRIGHTED © 2020 BY METRO SIGN CORP. AND IS INTENDED FOR THE EXCLUSIVE USE OF THE CLIENT. ALL RIGHTS ARE RESERVED UNTIL THE COMPLETION OF SALE TO THE CLIENT MENTIONED HEREIN. THIS DESIGN MAY NOT BE REPRODUCED IN ANY MEDIA WITHOUT THE PERMISSION OF METRO SIGN CORP.

DUE TO MONITOR DIFFERENCES AND VARIOUS OUTPUTS, ACTUAL COLORS MAY VARY SLIGHTLY. WE USE THE PANTONE GUIDE, CMYK AND THE HEX CODE VALUE TO DETERMINE COLOR. DIFFERENT MEDIA (PAINT VS VINYL) MAY ALSO HAVE VERY SLIGHT DIFFERENCE. WE CANNOT GUARANTEE THE COLOR YOU SEE ACCURATELY PORTRAYS THE TRUE COLOR OF THE PROJECT.

CLIENT:

NORMAN CHURCH OF CHRIST

LOCATION:

1660 SE 24TH AVE.

NORMAN OK 73071

ACCT. EXECUTIVE:

JARRID WRIGHT

DATE:

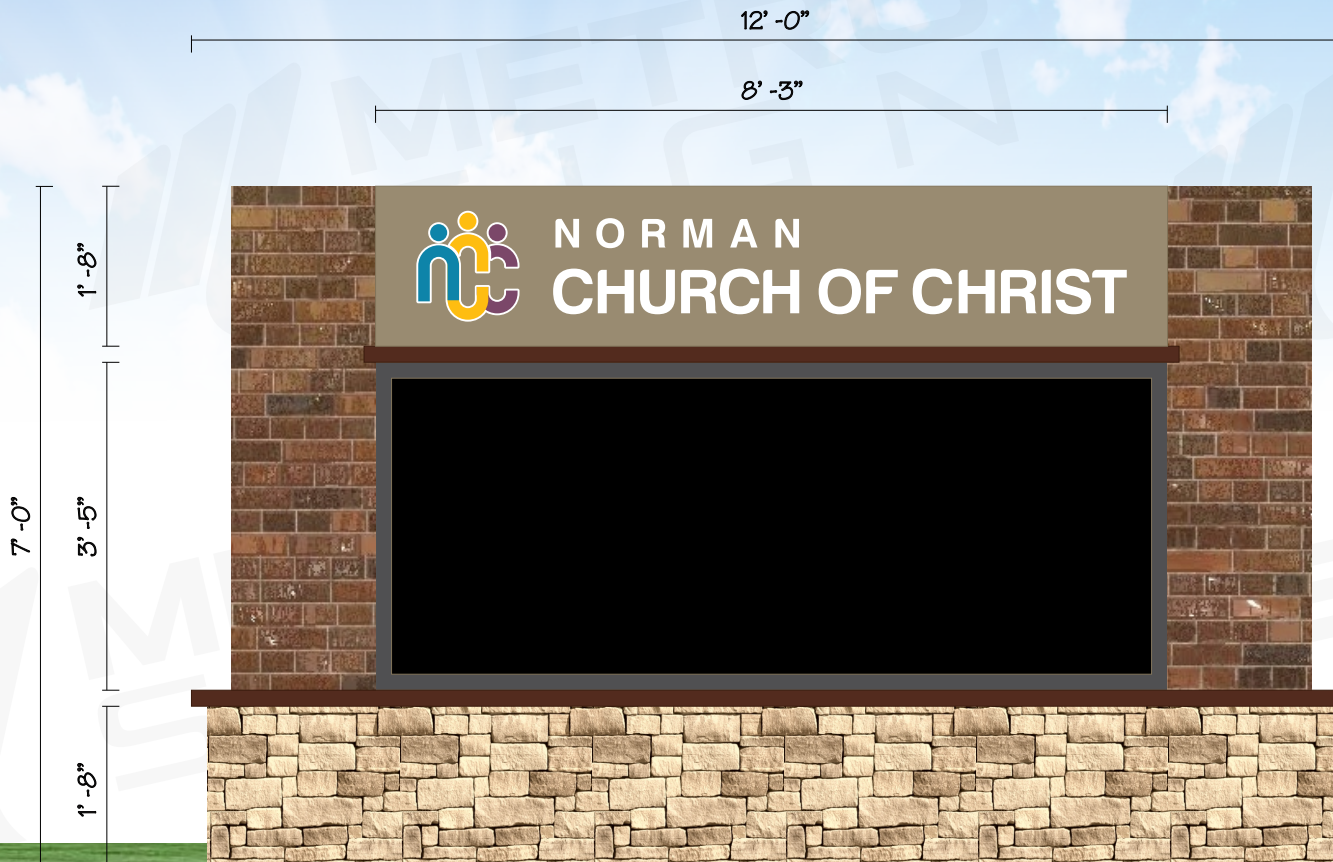
03.06.23

SCALE:

1/2" = 1'

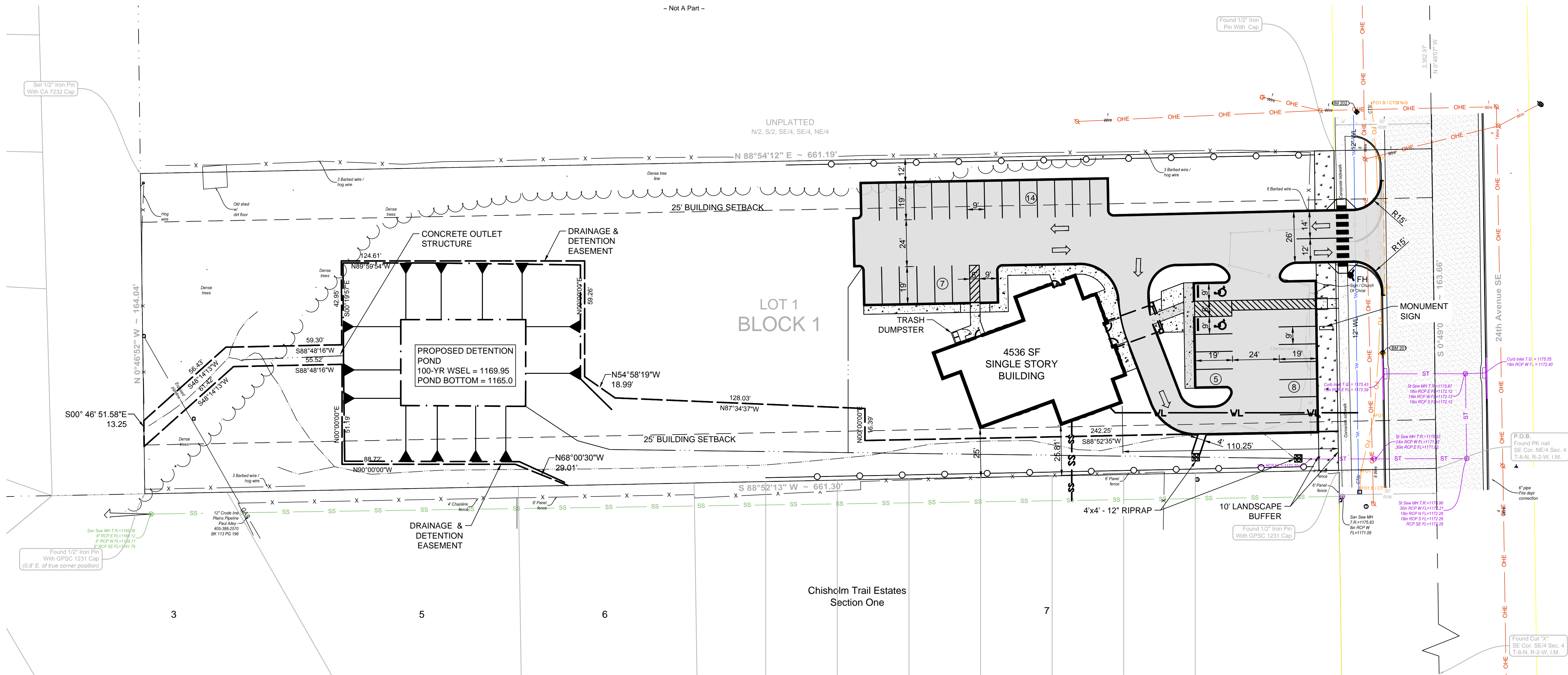
DESIGNER: greg roesch - 2021

APPROVAL



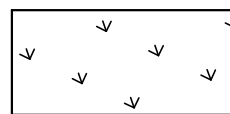
WALTER P MOORE

WALTER P. MOORE AND ASSOCIATES, INC.
7666 EAST 61ST STREET
SUITE 251
TULSA, OKLAHOMA 74133
PHONE: 918.806.7200 FAX: 918.806.7250
101 PARK AVENUE
SUITE 1300
OKLAHOMA CITY, OKLAHOMA 73102
PHONE: 405.493.0500

24TH AVENUE
CHURCH OF
CHRIST,
NORMAN, OK

LEGEND

	FH
	SANITARY SEWER
	WATERLINE
	6' TALL WOOD FENCE
	CENTERLINE OF DRAINAGE DITCH
	DETENTION POND



LANDSCAPE BUFFER



CONCRETE SIDEWALK



ASPHALT PAVEMENT

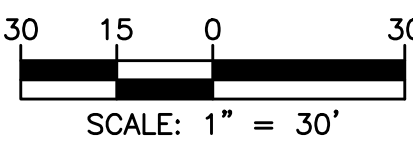
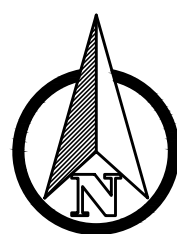
IMPERVIOUS TABLE CHART

TOTAL SITE AREA	2.32 AC.
TOTAL DISTURBED AREA	75,578 SQ. FT.
PRE-DEVELOPMENT IMPERVIOUS AREA	0 SQ. FT.
POST-DEVELOPMENT IMPERVIOUS AREA	25,525 SQ. FT.
INCREASED IMPERVIOUS AREA	25,525 SQ. FT.

PARKING TABULATIONS

1:4 SEATS IN SANCTUARY
TOTAL SEATING: 136 OCC FIXED SEATING

PARKING SPOTS REQUIRED = 34
PARKING SPOTS PROVIDED = 34



OWNER

NORMAN CHURCH OF CHRIST
911 N LAHOMA AVE
NORMAN, OK 73069

ENGINEER

WALTER P MOORE & ASSOCIATES,
INC.
HOLLIS ALLEN, JR., P.E.
101 PARK AVENUE, SUITE 1300
OKLAHOMA CITY, OK 73102

LEGAL DESCRIPTION

LOT 1, BLOCK 1
24TH AVENUE CHURCH OF CHRIST

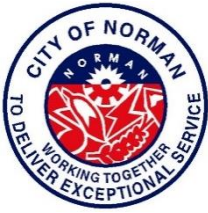
GENERAL NOTES:

- ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH CITY STANDARDS AND SPECIFICATIONS.
- EXISTING UNDERGROUND LINES HAVE BEEN SHOWN TO THE EXTENT KNOWN. THE EXACT LOCATIONS AND NOTIFICATIONS OF THE PROPER AGENCY IS THE RESPONSIBILITY OF THE CONTRACTOR PRIOR TO ANY EXCAVATION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY WORK ORDERS AND PERMITS FROM THE CITY, INCLUDING PROVISIONS OF BONDS AND INSURANCE AS REQUIRED.
- ALL WASTE OR SPOIL SHALL BE TAKEN TO A CITY APPROVED SITE OR SPREAD IN AREAS OUTSIDE OF THE STREET RIGHTS-OF-WAY AS DIRECTED BY THE OWNER AND ENGINEER.
- THE CONTRACTOR SHALL REPAIR ANY DAMAGES DUE TO CONSTRUCTION TRAFFIC OR OPERATIONS.
- CONTRACTOR TO SUPPLY TEMPORARY CHAIN LINK FENCING FOR THIS PROJECT, AS REQUIRED BY OWNER.
- CIVIL ENGINEER WILL NOT INTERPRET SOILS REPORTS OR ACCEPT RESPONSIBILITY FOR ALTERNATIVE METHODS PROPOSED BY THE CONTRACTOR.
- GENERAL CONTRACTOR SHALL MONITOR INSTALLATION OF SERVICE PEDESTALS AND SHALL ACCEPT CONDITION OF THE WORK BY OTHERS, AND SHALL BE RESPONSIBLE TO EMPLOY CONTRACTORS AS NECESSARY TO CORRECT POOR WORKMANSHIP.
- CORRECTIVE MEASURES DIRECTED BY THE ENGINEER MAY INCLUDE COMPLETE REMOVAL AND REPLACEMENT AT NO COST TO OWNER IN CASES OF POOR WORKMANSHIP OR UNSATISFACTORY IN-PLACE CONDITIONS.
- CONTRACTOR AND ALL RELATED CONSTRUCTION ACTIVITIES ARE REQUIRED TO MAINTAIN NORMAL NOISE LEVELS AND ALL EQUIPMENT AND VEHICLES ARE REQUIRED TO BE PROPERLY MUFFLED.

SITE PLAN NOTES:

- ALL DIMENSIONS ARE TO THE TO THE FACE OF CURB, AND ALL BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF WALL, UNLESS OTHERWISE NOTED.
- THE CONTRACTOR SHALL KEEP THE SITE CLEAN DURING CONSTRUCTION AND SUPPLY CONSTRUCTION CONTAINERS OR DUMPSTERS TO MAINTAIN ALL TRASH AND DEBRIS.
- THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS.
- REFER TO ELECTRICAL PLANS FOR SITE LIGHTING DETAILS.
- ALL PAVING MATERIALS & CONSTRUCTION METHODS SHALL BE IN ACCORDANCE WITH CITY AND DEPARTMENT OF TRANSPORTATION STANDARD DRAWINGS AND SPECIFICATIONS.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO CONFIRM THE ACCURACY AND LOCATION OF SITE BOUNDARY AND DIMENSIONS. ANY DISCREPANCIES DISCOVERED BETWEEN FIELD VERIFIED LOCATIONS AND PLAN LOCATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER OF RECORD FOR RESOLUTION PRIOR TO PROCEEDING.
- ALL RADII ARE 3' UNLESS OTHERWISE NOTED.
- SURVEY INFORMATION PROVIDED BY OWNER.





CITY OF NORMAN, OK STAFF REPORT

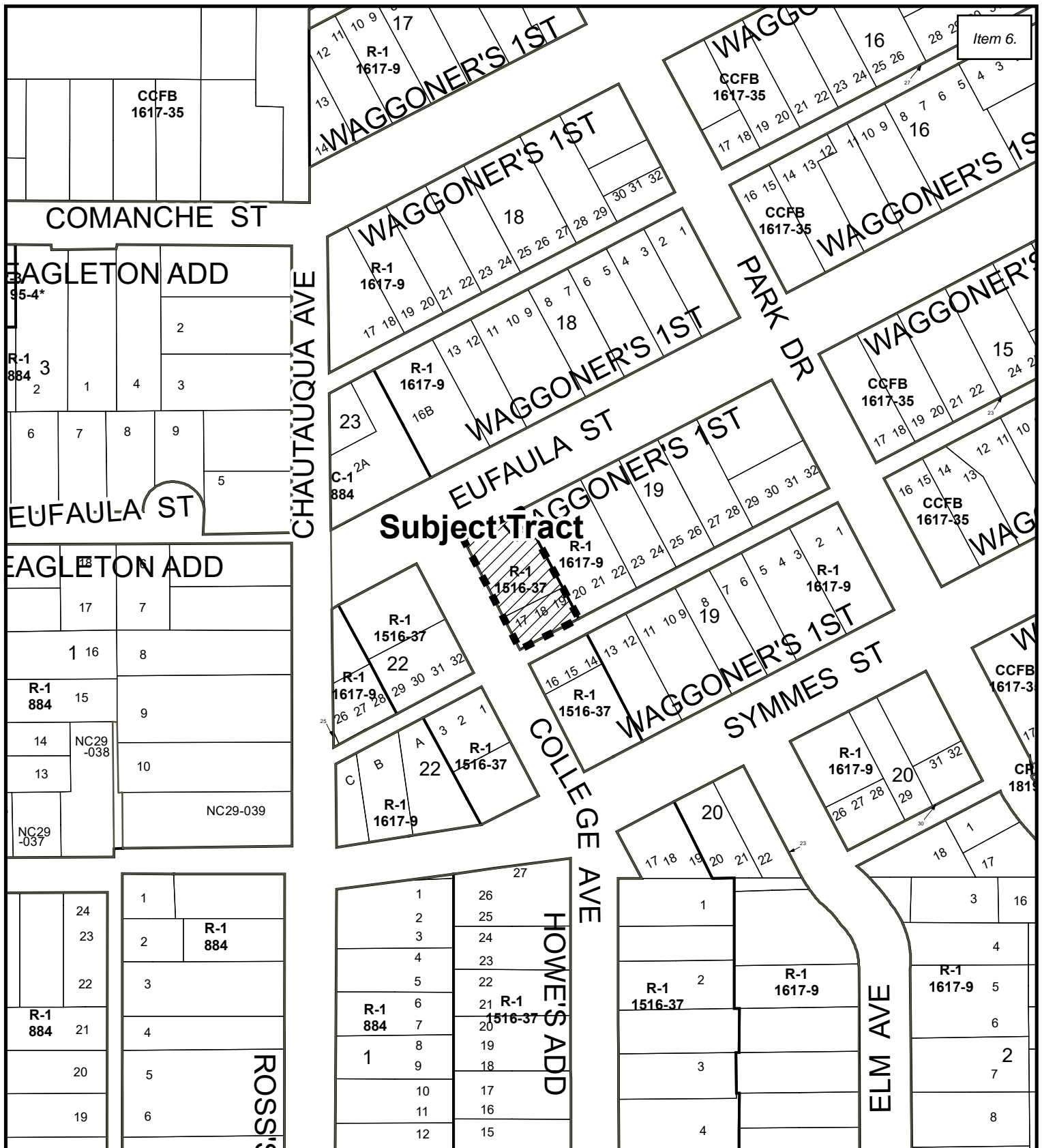
MEETING DATE: 04/26/2023

REQUESTER: Swiftco, on behalf of Vytautas and Sue Ringus

PRESENTER: Melissa Navarro, Planner I

ITEM TITLE: Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-14: Swiftco, on behalf of Vytautas and Sue Ringus, requests a Variance to 36-514(d) for a new garage located at 530 W. Eufaula Street (and 305 College Avenue).

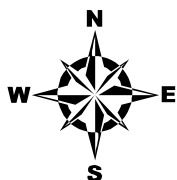
ACTION NEEDED: Approve, reject, amend, or postpone the Variance for BOA-2223-14.



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.



April 6, 2023

0 75 150 Ft.



Subject Tract



Zoning

Board of Adjustment
 April 26, 2023
 BOA-2223-14

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Brent Swift, on behalf of Sue and Vytautas Ringus
LOCATION	530 W. Eufaula Street and 305 College Avenue
ZONING	R-1, Single Family Dwelling District
REQUESTED ACTION	Variance to 36-514 (d)(2) - Any accessory building shall not exceed a wall height of ten (10) feet unless the required side and rear yard setbacks are increased by one (1) foot for each additional foot of wall height above ten (10) feet.
SUPPORTING DATA	Location Map Application with attachments Site Plan

SYNOPSIS: The applicant will combine the properties located at 530 W. Eufaula Street and 305 College Avenue via a Lot Line Adjustment. Once the Lot Line Adjustment is completed, the front of the property will be on W. Eufaula. The proposed plan includes an accessory structure with a wall height of 19'9" with a 5' rear setback. Because the proposed accessory structure wall height exceeds 10' by 9'9", the required rear seatback is 11'. The applicant is asking for a variance of 6' to the required 11' rear setback.

The application and the existing and proposed site plans are attached for your review.

VARIANCE CRITERIA PER SECTION 570(k):

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

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

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

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

The applicant provided responses to the four variance criteria. Please see the attached Existing Variance Conditions sheet to review their responses.

DISCUSSION: The new accessory structure will replace an existing structure on the southern end of the property, adjacent to the alley. The applicant met with staff to review options for development on the lot. The lot contains several large trees that should be protected, if possible. With the setback requirements currently adopted, removal of at least one large tree would be required to meet the required rear setback. The main building is a two-story house; the proposed accessory structure will not exceed the main building's height, as required by Code. As noted, the accessory building is adjacent to the alley, where it will not block the view or disturb any adjacent properties.

CONCLUSION: Staff forwards this request for BOA-2223-14 to the Board of Adjustment for consideration.



Application for Variance or Special Exception
BOARD OF ADJUSTMENT

Case No. BOA 2023-001

Item 6.

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

APPLICANT(S) <u>Brent Swift on behalf of Sue and Vytautas Ringus, the homeowners</u>	ADDRESS OF APPLICANT <u>530 W Eufaula St</u> <u>Norman, OK 73069</u>
NAME AND PHONE NUMBER OF CONTACT PERSON(S) <u>Brent Swift</u> <u>405-364-3002</u>	EMAIL ADDRESS <u>brentswift@gmail.com</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)

WAGGONER N 100' LOTS 17-19 BLK 19

Requests Hearing for:

☒ VARIANCE from Chapter 36, Section 514(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):

The project reduces the property's overall building footprint.
It also allows to save all the trees on the property.
The building's presence is also reduced along the street's edge.

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

SIGNATURE OF PROPERTY OWNER(S):

ADDRESS AND TELEPHONE:

530 W Eufaula St
Norman, OK 73069

- ☒ Application
☒ Proof of Ownership
☒ Certified Ownership List and Radius Map
☒ Site Plan
☒ Filing Fee of \$ 200.00
☐ Emailed Legal Description in Word Document

☒ VARIANCE from Chapter 36,
Section 514(d)(2)
☐ SPECIAL EXCEPTION to _____

Date Submitted:

4-5-2023

Checked by:

mt



BOARD OF ADJUSTMENT
FUNCTION AND REVIEW PROCEDURES

Item 6.

(Revised 05/25)

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

EXISTING VARIANCE CONDITIONS:

There are special conditions or circumstances peculiar to the land or structure involved:

The request for Variance is to allow a large / mature tree to remain on the site and to simply replace the existing small house footprint.

Attest

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

The applicant is not aware of others in the same district having a similar request and requiring approval. However, not allowing this request will result in relocating the structure that will impact mature trees that the applicant is trying to preserve.

Attest

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

The actions do result from the applicants goal of constructing a garage at the rear of the property. However, again, the location of the garage is crucial to save the trees. If you visit the site, you will see why the applicant is going to such lengths to keep the trees.

Attest

The granting of the Variance will not confer special privileges on the applicant that are denied to other lands and/or structures in the same district:

The opportunity for any citizen to request a Variance from Board of Adjustment is available. Approval of this request will allow the applicant to construct the garage, protect the vehicles / investments and preserve the trees.

Attest



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: April 5, 2023

I, Sue Ringus, 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:

530 W Eufaula
Norman, OK 73069

305 College Ave
Norman, OK 73069

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: 530 W Eufaula St Norman OK

Agent's Signature: [Signature]

Address: PO Box 305
Norman, ok. 73070

NOTARY

Before me, the undersigned, a Notary Public in and for the State of Oklahoma, on this 5th day of April, 2023, personally appeared Sue Ringus, 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)



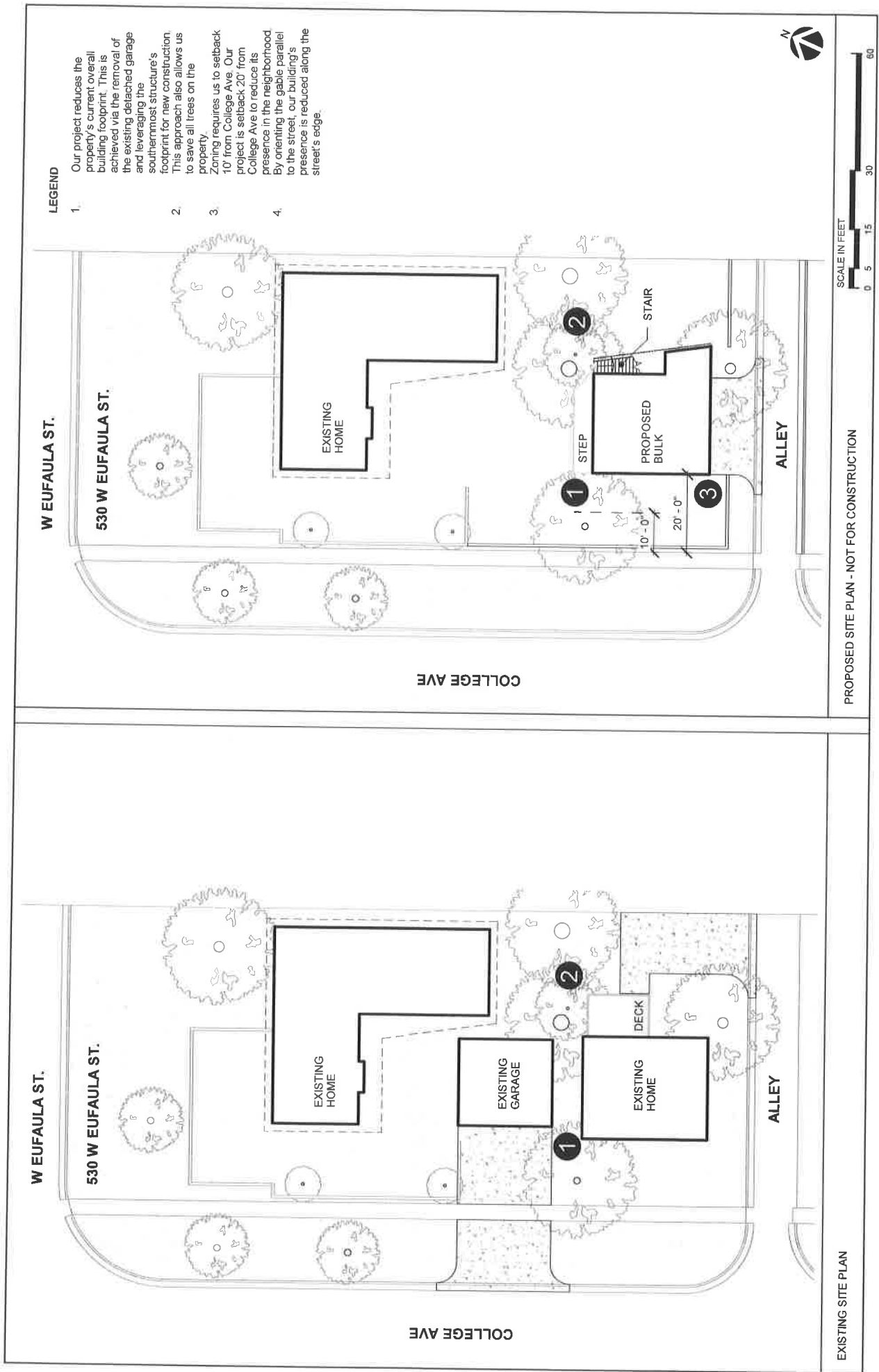
My commission expires:

06-16-2026

[Signature]
Notary Public

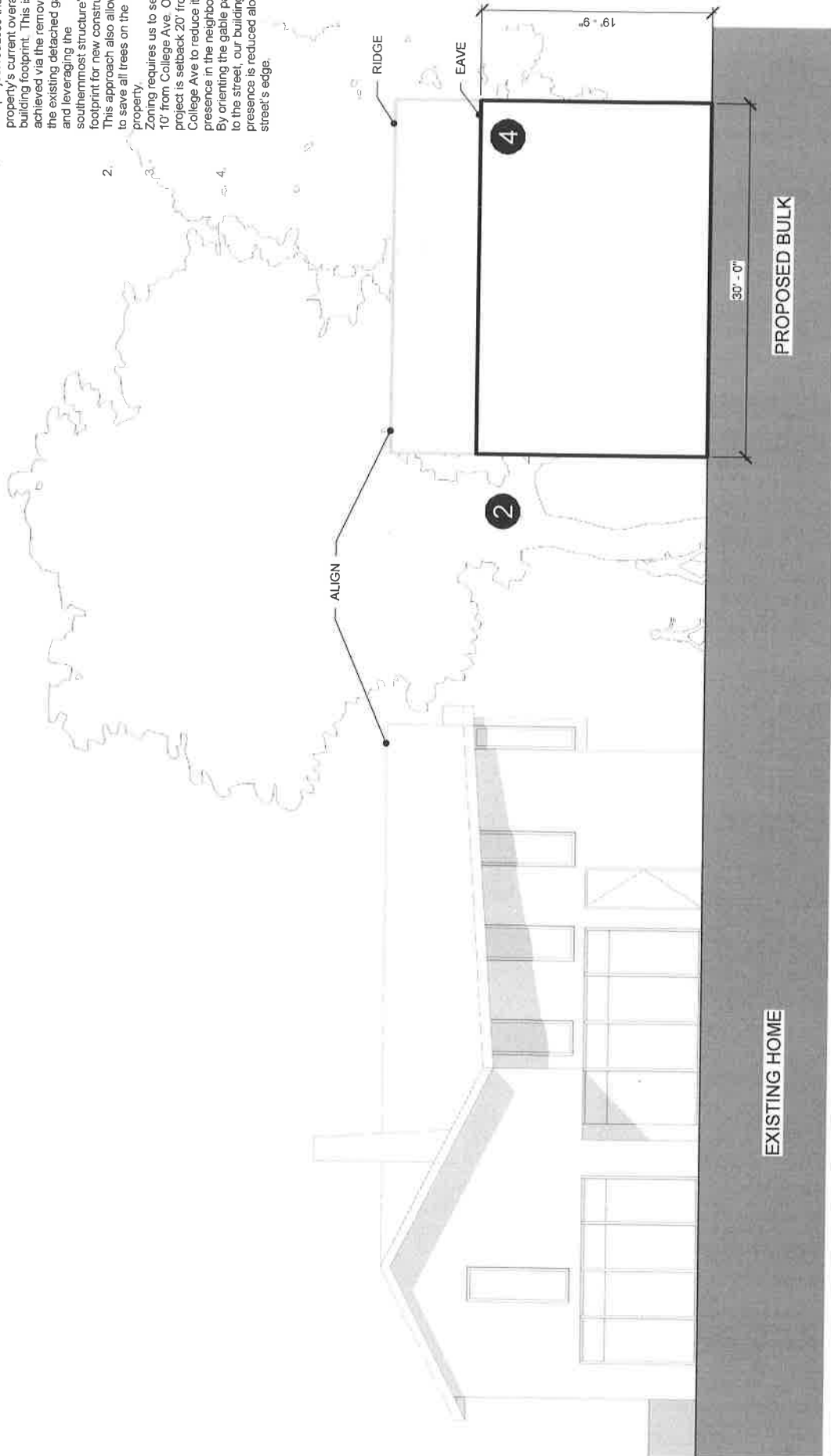
I hereby accept this Certification of Ownership in lieu of a deed or other legal document showing proof of ownership.

Signature: [Signature]
Title: Admin Tech IV
CITY OF NORMAN



LEGEND

1. Our project reduces the property's current overall building footprint. This is achieved via the removal of the existing detached garage and leveraging the southernmost structure's footprint for new construction. This approach also allows us to save all trees on the property.
2. Zoning requires us to setback 10' from College Ave. Our project is setback 20' from College Ave to reduce its presence in the neighborhood. By orienting the gable parallel to the street, our building's presence is reduced along the street's edge.
- 4.



SITE ELEVATION - NOT FOR CONSTRUCTION

SCALE IN FEET

