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CERTIFICATE OF SURVEY  
COS-2122-7

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ITEM NO. 4

**STAFF REPORT**

**ITEM:** Consideration of **NORMAN RURAL CERTIFICATE OF SURVEY NO. COS-2122-7 FOR DENVER ESTATES.**

**LOCATION:** Generally located one-quarter mile north of East Lindsey Street on the east side of 108<sup>th</sup> Avenue S.E.

**INFORMATION:**

1. Owners. Joseph Fugate.
2. Developer. Joseph Fugate.
3. Surveyor. Pollard & Whited Surveying, Inc.

**HISTORY:**

1. October 21, 1961. City Council adopted Ordinance No. O-1312 annexing this property into the Norman Corporate City Limits without zoning.
2. October 30, 1961. Planning Commission recommended to City Council that this property be placed in A-2, Rural Agricultural District.
3. December 12, 1961. City Council adopted Ordinance No. 1322 placing this property in A-2, Rural Agricultural District.

**IMPROVEMENT PROGRAM:**

1. Fire Protection. Fire protection will be provided by the Norman Fire Department.
2. Sanitary Sewer. Individual sanitary sewer systems will be installed in accordance with City and Oklahoma Department of Environmental Quality standards.
3. Water. Individual water wells will be installed in accordance with City and Oklahoma Department of Environmental Quality standards.
4. Acreage. This property consists of 39.985 acres. Tract 1 consists of 9.988 acres, Tract 2 consists of 9.993 acres, Tract 3 consists of 9.999 acres and Tract 4 consists of 10.005 acres.

5. Private Road. The private road will serve four (4) tracts. City standards requires a private road width of twenty-feet unless serving four (4) tracts or lots or fewer. The applicant has requested a variance in the 20' width to a 12' width private road since it will serve only four tracts.
6. Water Quality Protection Zone. Tracts 2 and 3 contain WQPZ. However, there is sufficient area to construct structures outside of the WQPZ. This area will be protected by the owners per covenants.
7. Flood Plain. Tracts 2 and 3 contain Flood Plain. However there is sufficient area to construct a residential house without encroaching the flood plain. A Flood Plain permit is scheduled for the Flood Plain Permit Committee, December 6, 2021, regarding the private road crossing the Flood Plain.
8. Flowage Easement. Tracts 2 and 3 contain a Flowage Easement controlled by the Bureau of Reclamation. These areas are "no build" for residential use. The Bureau of Reclamation has reviewed this proposal.
9. Covenants. Covenants addressing the WQPZ are being reviewed by City Legal staff.

**SUPPLEMENTAL MATERIAL:** Copies of a location map, Norman Rural Certificate of Survey No. COS-2122-7 for Denver Estates and a letter of request for a variance in the minimum width requirement for a private road and minimum acreage requirement for Tracts 1, 2 and 3 are included in the Agenda Book.

**STAFF COMMENTS AND RECOMMENDATION:** The applicant's surveyor is requesting a variance in the private road width based on the fact it is serving four (4) or fewer lots or tracts. Staff recommends approval of a variance in the private road width requirement from 20' width to a 12' width since it will serve four tracts. In addition, the property does not contain a total of forty (40) acres because of a short section. A request has been made to vary the ten (10) acre requirement from 10 acres to 9.988 acres for Tract 1, 9.993 acres for Tract 2 and 9.999 for Tract 3. Staff supports the variances and Norman Rural Certificate of Survey No. COS-2122-7 for Denver Estates.

**ACTION NEEDED:** Recommend approval or disapproval of a variance in the private road width from 20' to 12' serving four tracts, variance in the minimum acreage requirement for Tract 1 from 10 acres to 9.963 acres and Tract 2 from 10 acres to 9.968 acres and Tract 3 from 10 acres to 9.999 acres and recommend approval or disapproval of Norman Rural Certificate of Survey No. COS-2122-7 for Denver Estates to City Council.

**ACTION TAKEN:** \_\_\_\_\_