

Board of Adjustment
July 26, 2023
BOA-2223-22

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Barry Barger and Jeremy & Morgan Hudson
LOCATION	4800 E. Cedar Lane Road
ZONING	A-2, Rural Agricultural District
REQUESTED ACTION	SPECIAL EXCEPTION to permit a mobile home to serve as a temporary second dwelling to relieve a medical hardship
SUPPORTING DATA	Location Map Application with attachments Site Plan

SYNOPSIS: The applicant is requesting a special exception to move a Type 2 mobile home to the above-mentioned property to aid in a medical hardship scenario, consistent with Norman's Zoning Ordinance.

The application and site plan are attached for your review.

STANDARD OF REVIEW:

Section 570(i) of Chapter 36 (Zoning) provides:

Hearing of the Board of Adjustment on a Special Exception. The public hearing shall be held in accordance with the following provisions:

- (1) At said hearing, any party may appear in person or by agent or attorney;
- (2) In those instances where a special exception is granted the Board of Adjustment shall make a finding that the granting of such special exception will not adversely affect the public interest;
- (3) In granting any special exception, the Board of Adjustment shall prescribe the appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of this ordinance and punishable under the penalty sections of this ordinance. The Board of Adjustment shall prescribe a time limit within which the action for which the special exception is required shall be begun or

completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the special exception.

The Board of Adjustment is hereby empowered and authorized to grant the following specific exceptions, to wit:

(f) To permit a mobile home to serve as a temporary second dwelling to relieve a medical hardship. The application must include a doctor's statement indicating that the patient is in need of the care of his or her family. The mobile home must meet all City of Norman Building Code requirements and State of Oklahoma requirements for septic systems. The Exception can be approved for up to 3 years on any lot that is five acres or greater in the A-2 zoning district. The Exception can be renewed every 3 years by filing an application for an administrative extension, including a new doctor's statement. Only two (2) administrative extensions may be granted. If a third extension is needed, a new application will be required for Board of Adjustment review. Once the need for the mobile home no longer exists, the mobile home must be removed.

Please find the applicant's detailed justification in the attached application.

DISCUSSION: The subject property is approximately 5.6 acres and zoned A-2. Both Mr. Hudson (property owner at 4800 E. Cedar Lane) and Mrs. Barger (who will occupy the mobile home with Mr. Barger) are disabled and in need of family care. A doctor's statement indicating their need has been provided. A mobile home permit and moving permit will be required if the Board approves the special exception. The Planning Department keeps record of these Special Exceptions and their renewal/expiration dates.

The item has been postponed from the June 28, 2023 Board of Adjustment meeting.

CONCLUSION: Staff forwards this request for a medical hardship Special Exception and BOA-2223-22 to the Board of Adjustment for consideration.