



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 9/25/2024

REQUESTER: Brittani Beaver & Michael Serna

PRESENTER: Justin Fish, Planner I

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2425-06: BRITTANI BEAVER AND MICHAEL SERNA REQUEST A VARIANCE TO 36-514(c)(1)(a) OF 5' TO THE 25' FRONT YARD SETBACK FOR A NEW HOUSE IN THE CHAUTAUQUA HISTORIC DISTRICT FOR PROPERTY LOCATED AT 505 CHAUTAUQUA AVENUE.

APPLICANT

Brittani Beaver & Michael Serna

LOCATION

505 Chautauqua Ave

ZONING

R-1, Single-Family Dwelling District

REQUESTED ACTION

Variance to 36-514(c)(1)(a) of 5' to the required 25' front yard setback for the construction of a new home in the Chautauqua Historic District.

SUPPORTING DATA

Location Map
Application with attachments
Site Plan

SYNOPSIS: The applicant is seeking the approval of a variance for the construction of a home in the Chautauqua Historic District. The applicant wishes to construct the home 20' from the front property line to bring it in line with the historic homes on the street. The variance being requested is as follows:

1. A variance of 5' to the required 25' front yard setback.

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.

DISCUSSION: The applicant wishes to align the new structure with the adjacent houses, which have 20' setbacks instead of the required 25' front setback typically required in the R-1 zoning district. The Historic Preservation Guidelines state that new dwellings should be compatible with the existing setbacks found in the Historic District. At the September 9, 2024 Historic District Commission meeting, the proposed site plan and elevation drawings for the new home were approved contingent upon the Board of Adjustment review and approval of the 20' front setback.

CONCLUSION: Staff forwards this request for a variance and BOA-2425-06 to the Board of Adjustment for consideration.