



**CITY OF NORMAN, OK
STAFF REPORT**

MEETING DATE: 8/28/2024

REQUESTER: Bob & Ellen Usry

PRESENTER: Justin Fish, Planner I

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2425-02: BOB AND ELLEN USRY REQUEST A VARIANCE TO 36-512(d)(3) OF 19' TO THE 50' REAR YARD SETBACK FOR THE ADDITION OF A BATHROOM FOR THE POOL PAVILION AND A VARIANCE OF 25'3" TO THE 50' REAR YARD SETBACK FOR A STORAGE SHED FOR PROPERTY LOCATED AT 2247 60TH AVENUE N.E.

APPLICANT Bob & Ellen Usry

LOCATION 2247 60th Avenue N.E.

ZONING A-2, Rural Agricultural District

REQUESTED ACTION Variance to 36-512(d)(3) of 19' to the required 50' rear yard setback for a bathroom addition and a variance of 25' 3" to the required 50' rear yard setback for a storage shed.

SUPPORTING DATA Location Map
Application with attachments
Site Plan

SYNOPSIS: The applicant is seeking the approval of two variances. The variances being requested are as follows:

1. A variance of 19' to the required 50' rear yard setback for a bathroom addition.
2. A variance of 25' 3" to the required 50' rear yard setback for an existing storage shed.

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: The subject property is a three acre lot zoned A-2, Rural Agricultural District. The applicant is seeking the approval of two variances to the rear setback requirements. The A-2, Rural Agricultural District, requires 50' minimum setback from the rear property line. The orientation and size of the lot, combined with the setback requirements of the zoning district, leave an estimated 82' of depth for the applicant to develop. The house currently sits 38' from the rear property line and with the proposed addition, the house would sit at 31' from the rear property line. The shed is an existing structure that sits at 24' 9" from the rear property line. The variance for this shed is being requested to bring this property into legal non-conforming status.

CONCLUSION: Staff forwards this request for BOA-2425-02 to the Board of Adjustment for consideration.